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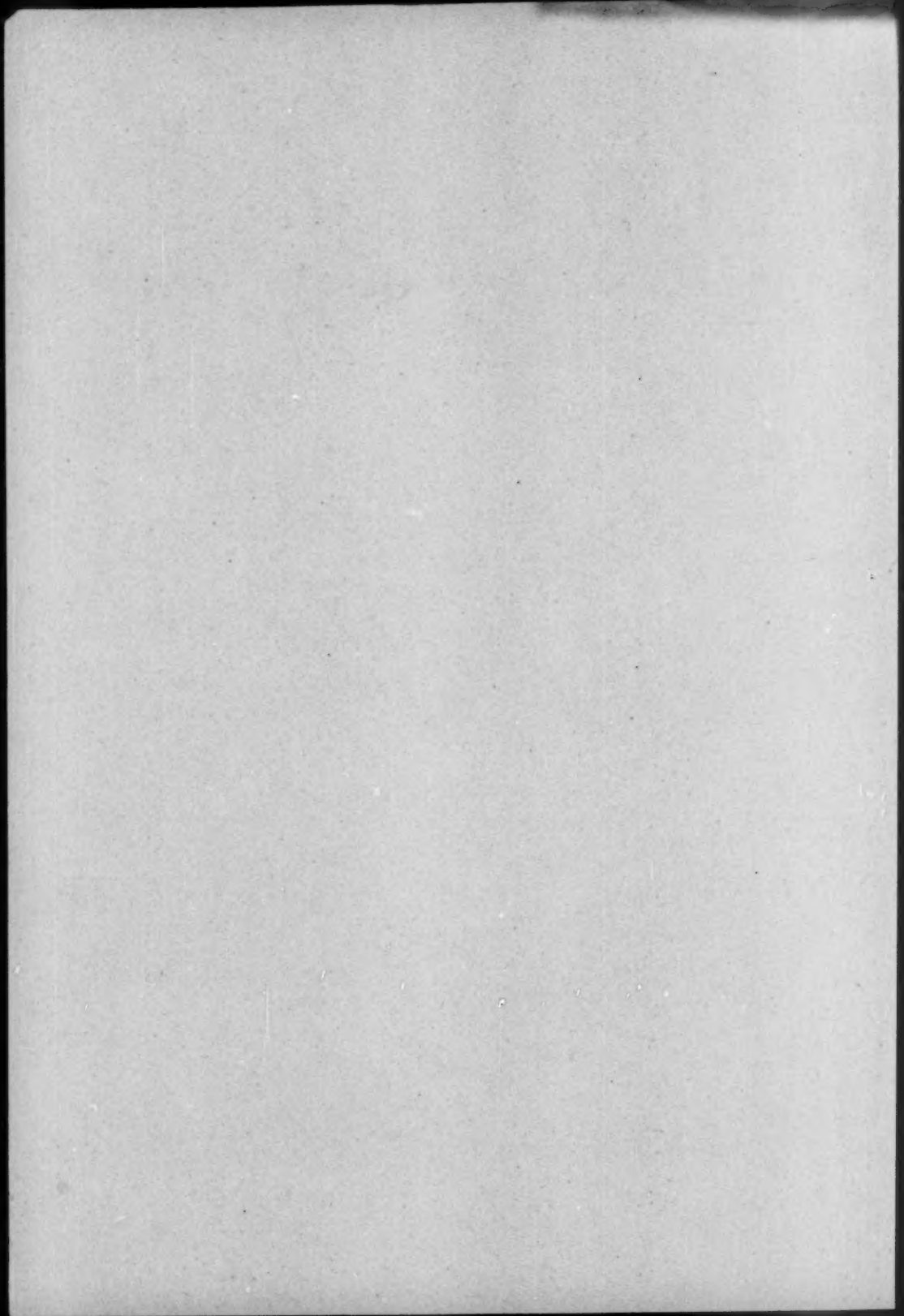
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National Income Analysis for Undergraduates

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# A Revolution in Economic Policy: An Hypothesis of Social Dynamics in Latin America

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A REVOLUTION is under way in Latin America. It is not one of those armed brushes between military factions for which Latin America became famous during the nineteenth century, but a profound overturn in economic policy. It is difficult to date and delimit this trend. Its end results and even its ultimate objectives are still as indeterminate as its origins. It lacks the definitive outlines and purposes of a movement that is finished. This article proposes a conceptual framework for the analysis of social and economic dynamics in Latin America.

The movement is at once revolutionary and historically reactionary. It is identifiable as a revolution because its motive power is one of those complete, long-term changes from one frame of reference to another—from *laissez faire* with colonial economic status to nationalistic planning and interventionism. Property relations, ways of making a living, and instruments for getting and holding economic power have been in a process of flux since the beginnings of the end of the peon-powered hacienda as the characteristic type of economic enterprise in Latin America. A principal correlate of this basic revolutionary significance is the empirical, one-by-one fashion in which the peoples to the southeast of us have lately come to face their problems of economic development as problems of state policy. A third significant characteristic of the movement is its conscious break with eighteenth-century international liberalism; a fourth and closely related aspect is a tacit but general turning away from international capitalism as the mainstay in economic development.

The Latin-American trend is not a simple revolution in which all elements are novel. It is historically reactionary in two important respects. In the first place, it is nationalistic and ethnocentric. Far more significantly, it draws heavily on long-time norms of Iberian culture and public policy. Many concepts of public law and administrative practice, now reviving and moot in Latin America, derive from fourteenth- and fifteenth-century ante-

cedents. The relevance of this resurgence of older ideas of what is meet and right and of what is workable belongs to a later phase of the discussion.

The term which best sums up economic policy in Latin America is "interventionism," referring to government intervention in matters traditionally left to private enterprise in countries where the liberal revolution made its strongest contributions. The term is widely and loosely used by continental European economists to describe the activities of a government which participates in the functions of planning and management of economic enterprise. It is even more widely, and quite as loosely, used by Latin-American scholars and political leaders to describe their own evolving and tentative programs for economic development. Under it are generally subsumed such widely varied activities as loans and subsidies to fishing fleets, low-cost housing projects, and nationally owned steel mills and merchant fleets.

The dominant overtone of Latin-American interventionism is strong, responsible government—government which directly concerns itself in all phases of the collective welfare and progress, and engages in positive action to further the economic development of the nation. No completely *laissez-faire* state ever existed—and least of all in Latin America.

The difference, then, between an economic order based primarily on *laissez faire* and a state which may be properly described as interventionist is one of degree. All governments have intervened a great deal in one or another phase of economic enterprise, and practically all modern states have encroached on finance and management functions in some areas formerly left to private enterprise. In cultures deeply informed with the doctrines of eighteenth-century liberalism, the tendency of the state to intervene in the economic affairs of its citizens has been largely conditioned by the manifest inability of the entrepreneurial group to achieve order in its own ranks.

Quite in contrast to their Anglo-American big neighbor, the fledgling Latin-American republics set up during the nineteenth century were heirs to no such body of imperatives as those of the liberal revolution. However, they discovered the liberal revolution at second hand, under English and American tutelage, and through the precepts of the French Revolution. Their written constitutions reflected nothing so fervently as the Declaration of the Rights of Man and the Citizen and included no paraphernalia more faithfully than those of North American federalism, bicameral legislatures, and separation of powers. International relations were characterized by relatively free trade, freedom of foreign enterprise to acquire and develop natural wealth, and a general policy of *laissez faire*—perhaps better described as a lack of economic policy in countries so deficient in private capital and enterprise.

The political liberalism of the nineteenth century in Latin America may be aptly summed up as too little and too late. Though covering a brief period, it was not intensive. In complex countries, like Mexico, all hopes and efforts for political reform and economic development got infused with federalism and with Manchestrian economics. Mexicans fought on in a hopeless Babel of alien ideology. They saw brief hopes engendered by the Revolution of 1857 evanesce in the long Ricardian muddle of Don Porfirio and the Científico party. Lands of simpler institutional history, like Argentina, fitted more easily into the firmament of international liberalism and perhaps absorbed more benefit to domestic policy. Argentina became an appanage of the British investors, and *La Prensa* of Buenos Aires became one of the foremost free trade advocates of the world. This editorial espousal of Manchestrian economics meant acquiescence in an economically colonial status by the ranchers and landlords because it freed them from any onerous fiscal responsibility for the general welfare and offered the greatest advantages in marketing.

All this superficial liberalism of export littorals, without the solid foundation of a wide diffusion of economic power and political security, could never produce the full fruition of the liberal revolution. The Latin Americans reaped the negatives of *laissez faire* but failed very largely to attain the affirmative contributions explicit in its promises. This institutional schizophrenia of underlying interventionist background and lip-service to the French and American Revolutions reigned anarchically supreme for nearly a century. The first steps in the Latin-American revolution against their dependent status were taken during the last decade of the nineteenth century, insofar as first steps in any broad historical movement are ever identifiable. Of little immediate consequence, and with no doctrinal pre-occupations whatever, the founding of the national banks in Argentina and in Uruguay, in 1890 and 1896 respectively, were humble and tentative first steps on a long road back to a consistent philosophy of economics and statecraft, and on an even longer road forward to a place in the modern world consonant with the potential of the resources and the peoples of Ibero-America.

The driving forces which could integrate such opportunistic beginnings and such half-articulate, inchoate institutional vestiges of earlier practices and ideologies become more intelligible if examined in the light of growing divergences between industrial and underdeveloped economies. Latin America was for a hundred years largely colonial in an economic sense. That is to say, it exported products of forest, farm, and mine, and it received in return finished manufactures and machines. Such underdeveloped regions are extraordinarily vulnerable to world disturbances of any sort. The crude products which they must sell are subject to a far more perfect

degree of competition than are the prices of the finished products which they must buy. For example, in a period of world depression, the prices of coffee and corn fall far more drastically than do the administered prices of transportation equipment and machinery. War is quite as disastrous as depression, for industrial countries at war have little surplus industrial product for export and even less shipping by which to distribute it.

The shift from *laissez faire* to opportunistic welfare interventionism in Latin America has received four powerful external stimuli since 1890. The world depression and money panic of the late eighties and early nineties caused a general stoppage of the flow of foreign investment funds and a serious recession in price levels. The war in Europe from 1914 to 1918 almost shut Latin Americans off from the metropolitan economies with which they were wont to trade. The third blow to the rule of international capitalism in Latin America was the depression of the 1930's. During that distressful period the world structure came into such disrepute that the Latin-American movement toward economic development became conscious of some of its own objectives. From 1931 forward, few careful observers could fail to recognize that a general policy-revolution was under way. The fourth blow to *laissez faire* beyond the Rio Grande was the Second World War with its drastic interruptions of supply and its abundance of markets and credits for the erection of a capital base.

These four body blows to international capitalism have contributed greatly to the revival of quiescent but deep-laid interventionist norms among Iberians everywhere. In an economically colonial region of inadequate native capitalism, the logical outcome of such a sequence has been an accelerating emphasis on planned action by government in the development of national production, in nationwide co-ordination of the exploitation of resources.

It is obviously impossible to discuss here the empirical details of a many-sided reversal in economic policy in twenty countries, covering half a century, fifteen years of which have been generally very active. The development of the movement has been so uneven from nation to nation that it is difficult to draw generalizations which are always true. Yet there is a very considerable body of common movements and devices, and the main trends are unmistakably prevalent throughout the vast region. The strong overtone of comprehensive economic development, together with a very general refocusing away from the international dependence of underdeveloped economies toward increasing and balancing the domestic economic activity, is nearly continent-wide, though it is clearly more aggressive and more viable in the larger than in the smaller countries. Also there are notable exceptions, such as the recent development of export cotton agriculture in Mexico and Brazil.

In a very significant sense the policy-revolution has a dual aspect. It is technological and it is institutional. The distinction is important because these two aspects do not develop jointly and uniformly in the different countries. The preamble of the institutional revolution is very generally an urban political revolt against the hegemony of landed wealth. The growth of the radical parties in Argentina and Chile, the Maderistas in Mexico, the first Batlle y Ordóñez administration in Uruguay are all representatives of this initial schism. In three of four of these cases, these initially middle-class urban revolts were called on to defend their political gains by force of arms.

The second stage of the characteristic institutional revolution is a social revolution. The classical form, developed in Uruguay, took substantially the following sequence: (1) revitalization of the bureaucracy with "revolutionary" leadership, (2) extension and activation of organized labor, (3) advancement in social legislation, (4) appearance of a comprehensive policy or planning phase, where institutional and technological phases of the movement merge. In this stage the social revolution often seems to become lost in its own fruition, and its votaries begin to demand a reformulation of goals. Mexico apparently has attained this stage during the last decade with protesting statesmanship articulate in the writings of such men as Daniel Cosío Villegas and Marcué Pardiñas.

The technological revolution has a much less variable sequence than the institutional. It proceeds as follows: (1) breakdown of the pre-1914 international equilibrium, resulting in embarrassing inter-war raw material surpluses which demoralized the raw materials economies and impoverished their landed classes; (2) a new focus toward domestic industrialization; (3) planning and investment to fill gaps in production and resource patterns, sometimes leading to tacit or explicit expropriation of foreign investors holding key resources; (4) the development of basic industries with a view to facilitating broader development through bootstrap investment programs. It is in the third and fourth stages that the technological revolution tends to merge with the institutional and where the social revolution tends to be absorbed and overshadowed. It should be emphasized that even in countries where no social revolution has occurred or where the social revolution has been defeated, the technological revolution tends to go on in approximately the same sequence though at slower tempo. In Brazil, where great size has substituted regional for urban political revolt, and where no overt social revolution has taken place, the technological revolution is well into the third and fourth stages, and gives some indication that the end results of the social revolution may be achieved indirectly. President Getúlio Vargas, on assuming the presidency for his current term, was asked what he had in mind for the future of Brazil.

His reply was that he hoped for a social democracy modeled after the Scandinavian countries and Great Britain.<sup>1</sup> This is not to say, of course, that Brazil's per capita production is as high or that its minimum level of living and other aspects of welfare legislation reflect social gains as impressive as in those countries where the institutional revolution has paralleled the technological.

Institutionally, the Uruguayan policy-revolution is the prototype of the continental movement, though technologically it is less developed in the third and fourth stages than in countries of wider resource and market range like Mexico and Argentina. It is well worth examining in some detail in this connection for two main methodological reasons. First, it stands as a movement achieved, a finished product. Second, it has been competently documented and empirically analyzed from a policy angle.<sup>2</sup> It is all the more significant because it appears to have been an almost complete reversal of policy from the extremes of classical individualism of the generation of the 1870's, a liberalism which was almost too classical to admit the viability of the Uruguayan State. The spirit of the nineteenth century is not more tersely put than by the Pivel Devotos who wrote as follows: "The process of our political organization coincided in great part with the rise of individualistic liberalism, which sought to reduce the functions of the State to strictly primary ends."<sup>3</sup> The authors quote from Pedro Bustamante, whom they evidently believe to be among the most representative of the brilliant generation of 1873:

Can the State open commercial, industrial, or manufacturing establishments? Indeed it can not, because its mission is other than trade and gain. . . . It can not be banker nor found establishments of credit in competition with private enterprise. . . . The constitution does not authorize the creation of a State Bank, but only private banks. What is, then, the mission of this social institution called the State? To develop and enforce the law.<sup>4</sup>

The rural politico-economic structure which obtained in 1897 is well described by the Pivel Devotos: "In a medium of peon servitude and great landed estates, where each rancher could raise regiments and was master of knife and noose, was not there a combination of property and political power characteristic of true feudalism?"<sup>5</sup> Aparicio Saravia, chief feudal lord

<sup>1</sup> *The South American Journal and Brazil & River Plate Mail*, CXLVIII, No. 17 (October 21, 1950), 193.

<sup>2</sup> Simon G. Hanson, *Utopia in Uruguay, Chapters in the Economic History of Uruguay* (New York, Oxford University Press, 1938).

<sup>3</sup> Juan E. Pivel Devoto y Alcira Ranieri de Pivel Devoto, *Historia de la República Oriental del Uruguay* (Montevideo, pub. by Raul Artagaveytia, 1945), 444.

<sup>4</sup> *Ibid.*, 444-45.

<sup>5</sup> *Ibid.*, 534-35.

of Uruguay, ruled supreme in the country, while the elected government of the city population struggled along in Montevideo. Even when José Batlle y Ordóñez was elected to the presidency in 1903, he agreed to share appointment of departmental governors with Aparicio Saravia. Twice the rural chief took up arms, and was finally defeated and killed in 1904. The victory of the urban political group was due in no small measure to the substitution of wire fencing for armies of gun-slinging Gauchos.

The *estancia* system had lost a good part of its carrying capacity with the introduction of wire fencing, which had become general by the turn of the century. Technologically, it was a great step forward to cheaper cattle production. Politically, it left the great landholders with weakened ranks. This progressive inability of the land to absorb the increasing population goes far to explain how the urban political revolt against the hegemony of the *estancieros* could be turned into a social revolution. Two other factors are perhaps equally strong. Montevideo, with its strong liberalism, was a haven for the dissident immigrants whom the tighter conservatism of Buenos Aires rejected. The bulk of the immigrants who remained in Montevideo came from Italy, which was then a land of revolutionary ferment. A third factor which should not be underestimated is that Uruguay was a European cultural outpost. People of wealth and position frequently went to Europe for their ideas and even for their education. President José Batlle y Ordóñez, son of a president defeated in part by the excesses of liberalism of his own party in the early 1870's, went to Europe as a young man and fell under the influence of Comte and others of his school. The importance of a leader with such a cohesive body of ideas in a country emerging from the personal leadership of the feudal landlords can hardly be overestimated. In truth, the social revolution was not institutionalized until the second administration of Batlle y Ordóñez, having lain largely inchoate through the intervening administration of President Williman, a period largely devoted to consolidating the political gains of the urban revolt.

It was not until the beginning of 1911 that this biggest of all personal leaders began to effectuate his philosophy in institutions. Batlle's first concern was with political democracy. His fervent faith in electoral freedom and education as the twin guardians of the public welfare links him strongly with Europe's historic liberalism. But the focus of his attention was on economic welfare. His economics was the economics of Sismondi and the welfare philosophers of the nineteenth century. Narrowing the gap between the rich and the poor, but leaving intact the institution of private property and the great landed estates of Uruguay, defines the "middle way" which he attempted to steer economically. Batlle opposed class hatred but espoused a great deal of socialization of services. His program effected the nationalization or municipalization of virtually all the public utilities ex-

cept transportation. He also set in motion the now practically complete nationalization of insurance services and promoted a social security coverage far more elaborate than the British system of his time. He also promoted banking services which would largely concentrate that field of activity in government hands. His building up of domestic insurance reserves and the development of agricultural credit largely mitigated for Uruguay the impact of the inter-war raw materials depression which took such large toll of other underdeveloped countries. Extensive workmen's compensation and effective indemnification of discharged workers were among other achievements of his second administration. Reforms reminiscent of John Stuart Mill were university education and easy divorce for women, free public secondary education, proportional representation, universal suffrage, the secret ballot, the abolition of capital punishment, and the separation of Church and State.<sup>3</sup>

Battle espoused the cause of organized labor early and consistently, at one time categorically favoring all strikes on the ground that the workers merely seek a larger share of the wealth they create. Battle and his group also advocated industrialization, though they were not extremely hospitable to foreign industrial investment. All in all, it seems reasonable to postulate that social revolution had become about as solidly institutionalized in Uruguay by 1919 as it had in Great Britain by 1950, with the significant difference that Uruguay was still a nation with a very low ratio of reproducible capital to population.

For two reasons Uruguay is not the best example of the technological revolution now raging in Latin America. The first is very obvious. Her very extensive social revolution took much of the urgency out of the third and fourth phases of the technological movement. With electric power already nationalized, the planning of a comprehensive network with a large new investment on the Rio Negro was easy. The second and perhaps more potent reason is the relatively narrow scale of resources, the small size of the country.

The technological revolution has struck almost all the Latin-American countries except the very small ones and has carried them through the first two phases, that is, the breakdown of the nineteenth century international trade equilibrium and the development of a new focus toward domestic economic development. The major countries are now in the third and fourth stages—planning and investment to fill gaps in production and resource patterns, and the development of basic industries as instruments of further development, with a view to raising the general level of living and production.

<sup>3</sup> Hanson, *Utopia in Uruguay*, 1-21.

And the technological revolution has been accompanied by a tremendous rise in production in the region as a whole. This rise has been somewhat obscured by the decline in exports of the products of farm and mine, which, while not universal, is general. Mexico and Argentina, during the period 1937 to 1949, show rises in real income on the order of 80 and 90 per cent.<sup>7</sup> A preview of the Economic Survey of Latin America for 1952 indicates a 40 per cent rise in the constant dollar value of Latin-American production between 1945 and 1952, with industry accounting for a preponderant part of the increase.<sup>8</sup>

It is not possible to detail the technological revolution, but a cross section of its results is possible to see from the evolution of banking in the region. Because banks are key institutions for affecting an economy, particularly an economy deficient in capital funds, growing concern for the collective economic welfare has resulted in almost wholesale creation of national and provincial banking institutions as instruments of domestic economic development. Long before the beginning of World War II, Latin America had undergone a degree of socialization of credit media in major and minor countries which took them far beyond the postwar nationalization of the Bank of England. For the most part, this nationalization of banking has not come about through expropriation or through setting up institutions to compete with established private banking institutions, but through the creation of new institutions to fill serious deficiencies in the various national economies.

Three main types of banks have been set up: the general-purpose banks, central banks, and special-purpose banks. To date, the most important of these have been the general-purpose banks. The first of these, founded in Buenos Aires in 1890, remained national because private capital was not forthcoming to subscribe the shares. By 1944, largely through capitalization of earnings, it had come to own 40 per cent of the banking reserves of the Republic. Not only has it been a fundamental stabilizing factor in the domestic credit picture of the country, but it has served as a pattern for eight provincial banks subsequently established in the northern provinces and as a springboard for the Central Bank, established in 1935. A more completely socialized though smaller national banking system has grown

<sup>7</sup> Real income was calculated by the writer from national income series of Mexico as reported in *International Financial Statistics*, June, 1953, and from the gross national product series on Argentina, published in the *Statistical Yearbook* prepared by the Statistical Office of the United Nations, New York, fourth issue. In each case the retail price index was used as a deflator, and in each case 1934-38 was used as a base; the last three years reported were calculated as a postwar relative. Both series were tested for articulation with quantum figures of production in the primary and secondary sectors and judged to be reasonably reliable.

<sup>8</sup> *Comments on Argentine Trade*, published monthly by the Chamber of Commerce of the United States of America in the Argentine Republic, XXXII, No. 12 (July, 1953), 21.

up in and around the Uruguayan National Bank, established during the same decade, as a result of the same faltering of private investment.

The development of central banking, with functions largely patterned after those of the Federal Reserve System, can hardly be termed a drawing-away from the methods of world capitalism. This development is rather designed to make Latin-American economies independent of too much foreign domination, within the structure of world capitalism. In many respects the Latin-American revolution is no more than this. Of more fundamental significance for the uniquely Latin-American aspects of world economic policy are the daring and experimental uses to which central banks are put as agencies of economic policy. The Mexican policy of using the central bank as a point of genesis for finance institutions of social and national policy has been paralleled to some degree in Chile and has influenced several other Latin-American countries. Postwar central bank policy in Argentina has nationalized bank credit, beyond the amount of the capital and surplus of lending institutions, in a revolutionary and puissant application of something like the 100 per cent reserve plan advocated by such distinguished American economists as the late professors Irving Fisher and Henry C. Simons.

One of the most striking developments of recent years has been the growth of the public banking system of Mexico. The Banco de México was established in 1925 as a general-purpose bank, serving as a fiscal agent and depositary of the government and engaging in general commercial banking. During its comparatively short lifetime it has been one of the really flexible instruments of national economic policy and a very profitable institution from which eight others have sprung. By a series of legislative measures designed to give it control over the volume of money and credit in the country, the bank has been gradually redefined as a central bank since 1932. The growth of the system of special-purpose banks has paralleled this movement to define the general-purpose bank as a bankers' bank. Some of these institutions are much more than banks. The Banco de Crédito Ejidal, for example, is dedicated to the credit needs of the *ejidos*, or co-operative farms. For nearly two million farm families it is not only the principal source of credit and the holding company for farm machinery, but it is also the principal agency for adult education and agricultural reform. Partly because of its tremendous educational and administrative task, it has not shown profits and has been subjected to the punishing fire of criticism which only a democracy knows how to give and to take. Each economic achievement of the Mexican Revolution is implemented in a banking structure, as for example the Co-Operative Bank, which serves producer co-operatives, state-owned industrial plants, and similar ventures as depositary, economic adviser, and sometimes as receiver-administrator.

As one international crisis after another has hammered home the lessons of the vulnerability of a colonial economy, the possibilities of industrialization have increasingly captured the imagination of the articulate classes in Latin America. Tardily, but with great urgency, our neighbors are taking stock of their industrial potential. In several of the major countries, the whole of economic policy is being progressively oriented around industrialization. This means not only a concerted drive for more consumer goods processing, for more light industry of the type which already abounds, but concentrated attention on the production of industrial energy; and latterly much stress is placed on the development of metal resources as a base for heavy industry. If the result has been the growth of nationalized industry in very conservative countries like Peru and Brazil, it still does not mean socialism or fascism in any sense that would be intelligible to Europeans.

It may be objected by students of world events that if Latin America is engaged in a revolution, it is by no means in unique circumstances. Most countries of liberal tradition have also turned to opportunistic welfare interventionism, beginning with the British Lib-Lab sweep of 1905. Indeed, the contrast between postwar Britain and prewar Latin America becomes a matter of orientation and degree. Conservative Argentine governments anticipated the British nationalization of fuels by nearly forty years. Many other measures hailed and condemned as revolutionary in postwar Britain were injected here and there in Latin America, without any particular doctrine, without any pattern of socialist objectives.

The line of differentiation between Latin America and Anglo-America is clearer but of a different sort than that between Latin America and Britain as it has become since 1945. An excellent example of the contrast between the program of temporary palliatives in the United States and a permanent and progressing interventionism based on participation in investment and management functions in Argentina is afforded by the depression farm programs of the two countries. The relatively minor and fading market importance of AAA and its successors is hardly debatable. Argentina began in November, 1933, to intervene in the grain trade in a manner which it might have copied from the 1928 Farm Board, so timid were the price floors established. Its second step was to initiate elevator construction in rural areas where private enterprise had failed to function. By November, 1941, in a series of tentative steps, the Republic had arrived at a virtually complete monopoly of the grain trade, and of terminal as well as provincial elevator and storage space. The 1946 extension of these beginnings set up the Argentine Trade Promotion Institute as entrepreneur for most agricultural exports and for a good volume of industrial imports. The profits, together with those of exchange control and from the

nationalization of bank deposits, have been plowed into a heavy industrialization program. The Institute has served as purchasing agent in the acquisition of French- and English-owned railways, and of the River Plate telephone system, from International Telephone and Telegraph. It seems quite likely that it may have a large hand in the new industrial installations at Salto Grande. Proposals here include hydro-electric development, a steel mill, a tin-plate mill, and a tin smelter. Even if some of these never get beyond the blueprint stage, it seems likely that other equally ambitious programs of industrialization will replace them.

If Latin-American interventionism differs markedly from the Fabianism of the British Laborites and from the North American New Deal, it has even less in common with continental European programs of Left or Right. It is true that fairly doctrinaire socialists, and even communists, have had longer persisting and proportionally more significant electoral successes than in our own country. Nor are fascist methods of constraint and ignoring or perverting the popular will by any means novel. By and large, however, it does not appear that the programs of socio-economic intervention have had either the fascist objectives or results of freezing the social order, or that the socialized ventures have had any very considerable infusion of the egalitarianism of proletarian socialism. The things men are disposed to fight for in these lands where the sense of economic morality is a bridge running back through the Spanish Empire and the Spanish frontier-democracy of the towns to the Roman social revolution are curiously out of parallelism—at least in the fairly narrow pale within which the issue is likely to turn—with the policy questions which motivate Anglo-Americans.

Just as the basic core of fiscal righteousness in the United States is economic individualism, so in the countries to the south of Windward Pass is it interventionism. The main body of public opinion is not, as a rule, exercised over whether there shall be intervention, but rather over the incidence and sanctions of its administration. Nor does the fighting issue tend to be anything like private initiative versus public ownership. Where private capital has not developed a resource or a service, the dangers of state socialism are no effective deterrent. So minor is the issue of public investment versus private enterprise that in Mexico's National Financiera, which combines some functions of the Federal Reserve Open Market Committee with those of an investment bank, annual reports do not clarify the question of ownership of the enterprises which the institution has underwritten, though it is a public institution, designed primarily to steady the market for public securities.

What is the significance of the upsurge to the south of a large number of fecund, interventionist neighbors? What is the portent to American

foreign markets, to American investors in their resources, to the peace and dignity of the "one world" which we must share with them? It means that a great many adjustments must be made. It means that Latins will be restive under many phases of foreign ownership in which they formerly acquiesced without question. It means that the exploitation of national resources by foreign interests will be increasingly called upon to justify itself in terms of affirmative contributions to the general welfare, and to the domestic programs of industrialization. It probably means the practically complete nationalization of railway transport and hydro-electric resources and of a considerable part of ocean shipping at no very distant date. It means that if their industrialization makes any great advances in productivity that Latin Americans will be incalculably better customers for our industrial goods, and for an increasing total volume of goods.

What is the likelihood that their ambitious dreams of industrialization will succeed? The success of these dreams depends on the possibility of the economic enfranchisement of the masses of the people, on the co-ordination of the undeniably great but not always conveniently juxtaposed resources, and on the training of a competent technical and labor corps. The first of these requisites presents much more complex problems because it touches the problem of the distribution of the national product and the class basis for the distribution of economic power. No one of these three can be solved alone, for they are all involved with the problem of increasing national productivity. The effectiveness of the bid of Latin Americans for a place in the modern industrial world depends very largely on the degree to which those peoples can develop mass markets over which to distribute the large overhead costs which are a feature of modern industry.

The nature of the class structure in Latin America is probably one of the very important permissive factors in determining the direction of the current policy changes. No single functional interest-group has captured the imagination of the people or the preponderance of economic power in the same degree as has the entrepreneurial class in the United States. In Latin America no single function stands out with the rugged simplicity which production for sale in a free market has traditionally had in this country. The somewhat imprecise observation of North American visitors that there is no middle class has a certain justification in the sharp cleavage between the elite and the masses. It is expressed simply in some remote country districts by the habit on the part of the poor class of referring to themselves as *manitos* (little brothers) and to their more opulent neighbors as *los enzapatados* (the shod ones). That is to say, it is a matter of have and have not.

More careful scrutiny of the shod classes renders the two-class division of the society completely untenable. There are at least three functional

classes, no one of which is wealthy by standards of wealth in industrial countries. The struggle between the failing landed aristocracy and the rising entrepreneurial class is familiar because it has been dramatized in Argentina and because it parallels Anglo-Saxon history. A third major division of the elite, which is often overlooked by people deeply immersed in Anglo traditions, is the bureaucracy.

The public employees might be looked upon simply as spoilsmen—beneficiaries of triumphant politicians arising from the propertied groups. Latin-American power politics would then have to fit into the familiar molds of the struggle between land and enterprise or between enterprise and labor. The situation does not make a very clear picture in terms of these stereotypes. For instance, if Mexican and Argentine enterprise have already vanquished and absorbed the landed proprietors, as bankruptcy and foreclosure proceedings, expropriations and reorientation of foreign trade policy would indicate, why are many of the richest fields of enterprise, such as oil, reserved for the public domain? The answer is that there is a bureaucratic interest which does not depend primarily upon the ownership of private wealth, but upon position and upon income and perquisites deriving from public employment. Without civil service protection, but by common consent, the public employee has a right to his job, or to one of comparable rank in another agency if he loses it on account of personal friction. Below the level of policy-making cabinet officers, that unwritten sense of vested interest is a community-wide affair. Public employees are less aggressive as individuals and as a class than either of those that depend upon private means, but they are also more articulate and much closer to the function of opinion-making. A colonel's clique may arise to defend the bankrupt landed gentry, but only by winning approval of the bureaucracy it is likely to make a lasting contribution, and by the time it has captured the imagination of the public employees, it will have become their ideological prisoner. The growth of the entrepreneurial or business class has been an important phenomenon during recent years. Many observers believe that it has already achieved an hegemony of power similar to that of English-speaking countries during the nineteenth century. The degree to which it supplants the bureaucracy or shares dominion with it will depend upon the measure in which it can capture the initiative from that seasoned group. Perhaps no one of the three elite groups could rule alone, and increasingly none of them can ignore urban labor.

# The Development and Use of *Facultades Extraordinarias* in Mexico

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GOVERNMENT throughout Latin America has been characterized by varying degrees of executive monopoly. It has been a customary practice for a president to utilize for personal or political gain constitutional provisions designed for use only in an extreme emergency. Such constitutional provisions have been drafted well and carefully, usually modeled upon those concerning the traditional European state of siege.<sup>1</sup> Nevertheless, Latin-American chiefs of state have manipulated the constitutional processes in such a manner as to render farcical the original clauses of the basic laws.

The record of such practices in Mexico has been long and varied. The most notable example of a deviation from the constitutional norm has occurred with *facultades extraordinarias*, or extraordinary decree powers, designed solely for use by the president in the gravest emergency. There can be no denying the need for a constitutional provision to permit a chief executive to deal swiftly with cases of invasion, actual or threatened, or other situations in which the security of the nation is in jeopardy. But when the president repeatedly asks for and receives such grants of power in normal times in order to legislate personally on matters not remotely concerned with a national emergency, the entire fabric of constitutional supremacy is seriously weakened.

The development of decree law in Mexico, tracing its origin to Spanish custom, has contributed to presidential legislation through the use of *facultades extraordinarias*. As in many other nations, the Mexican president not only promulgates the laws of Congress but executes them by issuing regulations for their administration. Article 89, Section I, of the Constitution of 1917 covers both points when it states that the president has the power "to promulgate and execute the laws enacted by the Congress, providing within the administrative sphere, for their faithful observance." The practice is to promulgate a law by a decree issued by the president in

<sup>1</sup> See, for example, the articles of the following constitutions: Argentina, §§ 23, 68, 86; Brazil, §§ 5, 87, 208-16; Chile, § 70; Peru, § 52.

which he makes known to the nation that the Congress has passed a given law, the printing, publication and fulfillment of which is thereby ordered by him.

The second phase of Section I of Article 89, that of executing the laws of Congress and "providing for their faithful observance," involves the rule-making or *reglamentación* process.<sup>2</sup> Despite the fact that the article in question does not grant this power to the president in so many words,<sup>3</sup> the need for such regulations has compelled Mexican constitutional doctrine and jurisprudence to look for arguments which would justify the exercise of such a power.<sup>4</sup> The regulations issued by the president are products only of laws passed by Congress and are not derived from articles of the Constitution. The regulation of constitutional articles is carried out by organic laws passed by Congress.<sup>5</sup>

The importance of the constitutional provisions for extraordinary powers and the manner in which they have been used cannot be underestimated, particularly when one examines the Mexican political scene. Mexico is no exception to the Latin-American rule of strong presidents and weak legislatures. The president is constitutionally equipped with very strong powers. Absent are the effective legislative checks so necessary to provide the proper equilibrium for a balanced separation of powers. A traditionally ineffective judiciary has not sought to restrain executive monopoly. Mexican presidents throughout the Republican period have continued to fortify themselves with a vast array of additional powers, largely extralegal in

<sup>2</sup> All the constitutions preceding that of 1857 clearly provided that the chief executive was to enjoy the power of issuing regulations to carry out the laws of Congress. The Constitutive Act of January 31, 1824, in Article 16, stated that the president had the power to issue decrees and orders for "the best fulfillment" of the Constitution and the general laws. The Constitution of 1824, in Article 110, made the same observation. Article 17, Part I, of the fourth law of the Constitution of 1836, granted the president the right "to issue all the decrees and orders which are desirable for the best public administration . . . of the Constitution and the laws." The *Bases orgánicas* of 1843, in Article 85, Section IV, stated: "The President of the Republic is authorized to expedite orders and regulations necessary for the execution of the laws without modifying them."

<sup>3</sup> The Constitution of 1857 eliminated all specific reference to the rule-making power, having precisely the same provisions as Article 89, Section I, of the 1917 Constitution. There is no record of the reasons why the Constituent Congress, when drafting the 1857 Constitution, removed positive reference to the rule-making power provided in earlier documents. Zarco, the only authority on this Congress, makes no mention of the point. See Francisco Zarco, *Historia del Congreso Extraordinario Constituyente de 1856 y 1857* (2 vols., México, 1857), cited hereafter as *Historia*. The debates of the Querétaro Congress of 1916-17 give no clue, as the article in question was adopted unanimously with no discussion or debate.

<sup>4</sup> For example, Article 92 of the 1917 Constitution implies that such a power exists when it makes two references to "regulations, decrees and orders of the President."

<sup>5</sup> See, for example, *Nueva ley reglamentaria del artículo 27 constitucional, en el ramo del petróleo*, in *Diario Oficial*, June 18, 1941. This is an organic law issued by Congress, regulating and putting into effect Article 27 of the 1917 Constitution.

nature, associated with such positive forces of the state as the bureaucracy, the army, the treasury and the government political party. Added to all this is the largely undefinable characteristic of *personalismo* with its limitless possibilities for personal aggrandizement and absolute rule. Though disastrous for a strict constitutional system, the tradition of using *facultades extraordinarias*, particularly in normal times, has served to complement these political facts of life in Mexico, working not only to augment but to guarantee executive supremacy.

The sections of the present Constitution of 1917 covering the use of *facultades extraordinarias* date back to similar stipulations in the Constitution of 1857 and are not found in earlier basic laws for the Republican period. The principle of separation of powers was contained in Article 50 of the 1857 document.<sup>6</sup> It called for a federal division of powers into executive, legislative and judicial, noting that two of these powers could "never be joined together in one person or corporation" and specified that legislative power could not be given to one individual. Article 29 stated that Congress could, in the event of a grave national crisis, permit the president to suspend the individual guarantees of the Constitution and could grant him "the necessary powers (*autorizaciones que estime necesarias*) to face the danger threatening society." But the question of just what "the necessary powers" included, the precise extent of such a delegation of authority, remained obscure. Did it or did it not imply the granting of legislative functions which appeared to be forbidden by Article 50?

Zarco is not clear on this point. The delegate Olvera on December 9, 1856, presented the draft of an article in which he attempted to give the executive more legal powers. Through this additional grant, the chief executive would have been strengthened when facing a serious national emergency by making use of a complicated mechanism which included the suspension of the sessions of Congress and the delegation of legislative powers to a triumvirate, one member of which was to be the president.<sup>7</sup>

In the session of January 24, 1857, the Committee charged with drafting Article 29 presented its decision on the Olvera proposal and Zarco had only this to say:

The Committee presents an opinion on the proposed legislation of Mr. Olvera relating to the granting of extraordinary powers to the executive. Instead of the proposed legislation, the Committee proposes an addition to Article 29, which

<sup>6</sup> For a discussion of the constitutional development of the principle of separation of powers in Mexico as it relates to the problem under investigation, consult León Villa González, *El principio de la división de poderes en nuestras constituciones* (México, 1942), 15-35; also Mariano Cantoral Hernández, *La suspensión de garantías en el derecho constitucional de México* (México, 1942), 52-55, cited hereafter as *La suspensión*.

<sup>7</sup> Zarco, *Historia*, II, 640-44.

establishes the suspension of individual guarantees. The proposed addition recommends that, if the suspension occurs when Congress is in session, the Congress should give the government the necessary powers to face the dangers threatening society. If the suspension is carried out during a Congressional recess, the Permanent Commission shall call Congress into session in order to grant the concession of such powers.<sup>8</sup>

The problem and its clarification was left to custom and, later, to Supreme Court decisions.

Article 29 of the Constitution of 1857 was utilized soon after that document was promulgated. Faced with clerical antagonism to the new Constitution, President Comonfort obtained from Congress a suspension of nine articles of the Constitution, to last from November, 1857, to April 30, 1858.<sup>9</sup> During the French invasion of Mexico, Juárez secured a suspension of guarantees from Congress on December 11, 1861.<sup>10</sup> Juárez was granted the suspension for six months and was also given the power to legislate, with the only restriction that he protect the independence and integrity of the nation and maintain the form of government established by the Constitution and the reform laws.

On June 7, 1862, Congress extended these extraordinary powers for another four months with the same limitations, plus the added restriction that Juárez should not intervene in judicial controversies between individuals.<sup>11</sup> On October 27, 1862, Congress extended the extraordinary powers for another seven months. The country was in a chaotic state, and Congress, deciding that it was impossible to continue its sessions, on May 27, 1863, passed a law which continued the extraordinary powers in force until thirty days after its next meeting or until the end of the war with France, whichever came sooner.<sup>12</sup> Congress did not reconvene until December 8, 1867. Thus from December, 1861, until December, 1867, all legislation issued was in the form of executive decrees.

In 1876, the constitutionality of the decrees issued by Juárez was challenged by Guadalupe Bros before the Supreme Court.<sup>13</sup> *Amparo*<sup>14</sup> was

<sup>8</sup> *Ibid.*, 808.

<sup>9</sup> Decree in M. Dublán y J. N. Lozano, *Legislación Mexicana* (México, 1876-1911), VIII, 644-49.

<sup>10</sup> José Aguilar y Maya, *La suspensión de garantías* (México, 1945), Appendix I, 73-76. Articles 7, 9, 10, 13, 16, 19, 21, and 26 of the Constitution of 1857 were suspended.

<sup>11</sup> Hernández, *La suspensión*, 44.

<sup>12</sup> Rafael Matos Escobedo, *La crisis política y jurídica del federalismo* (México, 1945), 144.

<sup>13</sup> This case is discussed in Felipe Tena Ramírez, *Derecho constitucional Mexicano* (México, 1944), 195-96, cited hereafter as *Derecho*.

<sup>14</sup> In its literal sense, the term means "protection." This unique feature of Mexican jurisprudence combines the essential elements of the extraordinary writs of habeas corpus, certiorari, and mandamus. For a full discussion of this subject, see Romeo León Orantes,

sought on the ground that the "authorizations" given by Congress to the president in the case of a disturbance of the public peace according to Article 29 of the Constitution, should not include an authorization to legislate, as this function belonged exclusively to Congress. Justice Landa refused to grant *amparo*, stating that:

Article 29, in addition to allowing the suspension of the rights of man, grants to Congress the power to give the president the authorizations that the former may deem necessary in order to face the situation; consequently, the resolutions taken by Congress regarding this point do not have more limitations than those resulting from an exact estimation of the circumstances, which, extraordinary as they may supposedly be, will never require the absolute abdication of a power and a radical alteration of the form of government. Article 50 of the Constitution, which prohibits the joining of two powers in one person or corporation and the placing of the legislative power in the hands of one individual, does not prevent the granting of temporary congressional grants of legislative power to the president. The word "never" used in Article 50 does not apply in this case, because such an adverb refers only to time, meaning the fusion of powers for all time. It cannot apply in the case of a specified and partial delegation authorized by Article 29.<sup>15</sup>

Thus the problem was carefully examined by Justice Landa, and his argument that there is no violation of Article 50 when there is only a partial and temporary delegation of legislative powers of the president was repeated frequently in later years.

In 1877, the Court in part reversed this decision when reviewing and upholding the *amparo* granted to Faustino Goribar by an inferior court on July 6, 1876.<sup>16</sup> Justice Ezequiel Montes held that *amparo* had correctly given relief to Goribar from decrees issued by Juárez as a result of extraordinary powers granted to him by Congress. In his decision, Justice Montes stated that there should be no delegation of legislative power by Congress to the president by virtue of Article 29, because that article did not specifically state that Congress had the power to grant such a delegation. He pointed out further that there was nothing in the debates of the constitutional congress of 1856-57 which would indicate that the framers of Article 29 had intended Congress to have the power to delegate some of its legislative functions.

However, in deciding against the *amparo* sought by Dolores Quesada de Almonte, the Supreme Court again reversed itself on February 25,

*El juicio de amparo* (México, 1941), and Fernando Ayala Garza, *El juicio de amparo y los derechos políticos* (México, 1943).

<sup>15</sup> Quoted in Tena Ramírez, *Derecho*, 197.

<sup>16</sup> *El foro*, Vol. II, Época 2, No. 8 (July 12, 1877); Aguilar y Maya, *La suspensión de garantías*, 65; and Tena Ramírez, *Derecho*, 199.

1879.<sup>17</sup> The decision of Chief Justice Vallarta stated that, in the event of the emergencies contemplated by Article 29, and when the constitutional guarantees have been suspended, Congress could authorize the president to legislate.<sup>18</sup> The decrees issued by the president under these circumstances were valid and enforceable, regardless of the provisions of Article 50. Vallarta explained, as did Justice Landa in 1876, that the word "never" as used in Article 50 could not be taken in its literal sense, because such an interpretation would conflict with other provisions of the Constitution which granted certain judicial powers to Congress. Vallarta observed that Article 29 contained two distinct provisions. The first part of this article authorized the suspension of guarantees. The second part allowed Congress, after such a suspension, to grant to the president the powers it believed were necessary to meet a grave emergency. He pointed out the critical situation existing in the country at the time Juárez issued his executive decrees and said that such grave circumstances warranted the granting of legislative powers to Juárez. Vallarta then stated: "Congress retains the ultimate legislative authority, though it may delegate legislative powers to the President in emergencies. Therefore, two powers are not fused in one person, nor is the legislative power concentrated in one individual; consequently, Article 50 is not violated."<sup>19</sup>

Justice Vallarta, as had Justice Landa, established the thesis that what was forbidden by Article 50 was not the temporary delegation of one power to another but the fusion of two organs originally endowed with separate powers. It was absolutely clear that Vallarta and Landa believed that Congress could delegate its legislative powers only in time of crisis and emergency. No mention was made of the possible delegation by Congress of its powers at any other time. In addition, neither jurist mentioned the possibility of such delegation by Congress when there had been no suspension of the constitutional guarantees.

Nevertheless, from 1880 until the adoption of the Constitution in 1917, Congress delegated its legislative function on a number of occasions without there being any "invasion or disturbance of the public peace" or a suspension of guarantees. This development came during the several Díaz administrations.<sup>20</sup> Congress granted extraordinary powers to Díaz and

<sup>17</sup> This decision is contained in Ignacio I. Vallarta, *Votos* (2 vols., México, 1894), I, 105 ff.

<sup>18</sup> Vallarta was a delegate to the constitutional congress of 1856-57 and claimed that he voted for the addition to Article 29 in the belief that he was thereby approving the essential ideas of Olvera concerning the delegation of legislative powers. Vallarta, *Votos*, 114; and Tena Ramírez, *Derecho*, 200.

<sup>19</sup> Vallarta, *Votos*, 105.

<sup>20</sup> For amplification, see Pedro González-Blanco, *De Porfirio Díaz a Carranza* (Madrid, 1916), 38-39; Andreas Molina Enríquez, *Los grandes problemas nacionales* (México, 1909), 62-77; Rafael de Zayas Enríquez, *Porfirio Díaz, la evolución de su vida* (New York, 1909), 201-203.

justified its delegation of legislative powers to the president by citing the Vallarta interpretation of Articles 29 and 50. But it either failed to understand fully the Vallarta interpretation or merely neglected to follow it in full. In other words, Congress granted the president extraordinary powers without there being a national emergency or a suspension of guarantees, though both situations were required by the Vallarta decision.

By the time the constitutional congress met at Querétaro in 1916 to draft another constitution, the policy by which Congress had granted the president extraordinary powers to legislate in peacetime or in the absence of an emergency without a suspension of guarantees was firmly established.<sup>21</sup> Further evidence of the recognition of such a practice can be gathered from the special reference made by Carranza to the situation in his proposals for the new constitution:

The fundamental principle clearly established by the Constitution of 1857 in respect to a strict separation of powers has not been carried out and, consequently, this principle has lost all positive value, because separation of powers now exists only on paper, while in reality, all three powers have been exercised by one person. The extreme has been reached in the disregard for the highest law of the land through a number of constantly repeated acts giving the Chief Executive, without any hindrance, the power to legislate on all types of subjects.<sup>22</sup>

Nevertheless, Article 29 of the 1917 Constitution was adopted without debate in substantially the same form as it had appeared in 1857. Article 49 of the 1917 Constitution duplicated the exact wording of Article 50 of 1857 but added one sentence. After prohibiting the union of two or more powers in one person, it provides that the legislative power cannot be placed in the hands of one individual, "except in the case of extraordinary powers granted to the executive in accordance with the provisions of Article 29." Thus the principle of separation of powers can be altered when, according to Article 29, "in cases of invasion, grave disturbance of the public peace, or any other emergency which may place society in grave danger or conflict," the president, with the concurrence of his cabinet, asks for and receives from Congress the power to suspend constitutional guarantees throughout the nation. When Congress gives the president such authority it "shall grant such powers as in his judgment the executive may need to meet the situation." This section of Article 29 is referring to the extraordinary powers mentioned in Article 49 by which the president can legislate by issuing executive decrees. Such a legislative delegation must be specified and have a time limit placed upon it. Also, the granting of such powers can be done only by Congress, as Article 29 states: "If the sus-

<sup>21</sup> Gabino Fraga, *Derecho administrativo* (4th ed., México, 1948), 116-20.

<sup>22</sup> *Diario de los debates del congreso constituyente* (2 vols., México, 1922), I, 261.

pension occurs while the Congress is in session, this body shall grant such powers to meet the situation; if the suspension occurs while the Congress is in recess, the Congress shall be convoked forthwith for the granting of such powers."

This harmonizing of Articles 29 and 49 in the Constitution of 1917 definitely established the authority of the president to legislate in times of emergency, when the constitutional guarantees were suspended, if the Congress so desired.<sup>23</sup> These new stipulations clarified the somewhat doubtful relationship between Articles 29 and 50 encountered under the Constitution of 1857. It was expected that the addition to the old Article 50 would eliminate the congressional delegation of legislative power to the president in normal times, since, by the wording of Article 49 and its close relationship with Article 29, such a legislative delegation could be authorized only as an exception to a strict separation of powers in the event of an abnormal situation.<sup>24</sup>

In the light of the above, it would seem almost incredible that but a few days after he had promulgated the new constitution, Carranza asked for and secured a grant of extraordinary power from Congress on May 8, 1917.<sup>25</sup> He thereby established the precedent under the Constitution of 1917 for legislating by executive decree.<sup>26</sup>

Most of the important legislation from 1920 until 1938 was done by executive decrees stemming from grants of extraordinary powers authorized by Congress. Almost all legislation which dealt with financial matters

<sup>23</sup> Only one prophetic dissenter at Querétaro rose to object to Article 49. Deputy Fajardo observed: "There is a contradiction in Article 49, because two powers are joined in one under the conditions set forth in Article 29. . . . I do not think that Congress wants to delegate its functions to the executive, no matter what the circumstances might be. You can grant the executive some extraordinary powers but you cannot admit constitutionally that the executive can assume two powers. If you join them both, you sanction dictatorship. There is no necessity for Article 49 if there are no obstacles established within the legislative branch." *Diario de los debates del congreso constituyente*, II, 405-406.

<sup>24</sup> In defending the principles of Article 49, Deputy Manchorro Narváez at Querétaro stated: "Let us examine Article 29 to determine when two powers might be joined together. The president has legislative powers under Article 29 when there is a grave situation. If the constitutional guarantees are suspended, an army general could catch a bandit and try him by court martial and execute the sentence, instead of proceeding with the ordinary judicial process. By administrative authority granted to the executive in the form of military control, there would be a vague joining of the executive and judicial powers into one. Thus, it would seem that Article 29 established the union of two powers in one for certain varied and limited cases. But Article 49 is only the result of Article 29. It does not grant any new powers but puts what was stated in Article 29 on a safe basis." *Ibid.*, 407.

<sup>25</sup> Decree in *Diario Oficial*, May 8, 1917, and in Mariano Salas, *Defensa de México* (México, 1920), 68.

<sup>26</sup> "This provision permits the President to tax the country without asking the consent of Congress, to put people in jail without a trial, and to be, in short, a veritable tyrant." Ramon Beteta, "The Government of Mexico," *Lectures Before the Inter-American Institute* (Claremont, Cal., 1929), 8.

was issued by President Obregón (1920–24) as a result of *facultades extraordinarias*. The most typical example was the 1924 Income Tax Law.<sup>27</sup> President Calles (1924–28) continued the use of extraordinary powers in financial matters. In addition, he used them to create a Federal Board of Conciliation and Arbitration for labor disputes, to carry out reforms in public health and to intervene in the Church-State conflict.<sup>28</sup> Treasury and financial matters were conducted by a grant of extraordinary power given to President Portes Gil (1928–30), who also issued a new criminal code under such an authorization.<sup>29</sup>

President Ortiz Rubio (1930–32) obtained seven important grants of extraordinary powers which resulted in the General Communications Law of August 29, 1932; legislation on finance and on credit institutions; the Commercial Code; the General Law on Co-operative Societies; Code of Civil Procedure for the Federal District and Territories; Federal Penal Code and Code of Penal Procedure; and the Organic Law of Federal Justice.<sup>30</sup> Even more astonishing was his use of these powers to intervene in state affairs. In early 1932, the states of Hidalgo, Vera Cruz and Michoacán, through their governors, adopted expropriation laws empowering the state governments to take over factories that shut down or violated labor laws. These expropriated industries were then turned into co-operatives for the workers. Ortiz Rubio branded this communism and as damaging to Mexico's internal and foreign credit. On June 18, 1932, Congress gave Ortiz Rubio extraordinary powers to revise these state laws. He did not have to use this power, for merely a threat was sufficient to cause the revocation of the distasteful laws.<sup>31</sup>

President Rodríguez (1932–34) secured the necessary power from Congress to legislate in all financial matters during recesses in 1933 and 1934.<sup>32</sup> In addition, he was able to issue a new Agrarian Code and create the Federal Electricity Commission.<sup>33</sup> But it remained for President Cárdenas (1934–40) to make use of grants of *facultades extraordinarias* on an unprecedented scale. The following is but a sampling of the matters covered by executive decrees: the creation of the Federal Departments of Indian Affairs and Press and Publicity; revision of the procedure of judicial tribunals in the

<sup>27</sup> *Diario Oficial*, February 27, 1924.

<sup>28</sup> *Ibid.*, December 31, 1925; *La industria, comercio y trabajo*, III, 221–27; *Diario Oficial*, October 16, 1926, and January 18, 1927.

<sup>29</sup> Decree in *ibid.*, December 31, 1928, and in Secretaría de Gobernación, *Memoria*, 1929–30, pp. 135 ff.

<sup>30</sup> Decrees in *Diario Oficial*, January 28, 1931; February 10 and 16, 1931; December 30 and 31, 1931; January 9, 1932; July 14, 1932; August 31, 1932.

<sup>31</sup> Text of this decree is in *Diario Oficial*, June 19, 1932. See also *El Nacional*, June 9, 1932.

<sup>32</sup> *Diario Oficial*, December 30, 1932, and December 28, 1933.

<sup>33</sup> *Ibid.*, December 28, 1933, and January 8, 1934.

Federal District and Territories; establishment of a Fiscal Code and an Electricity Code; amendments to the Penal Code, Agrarian Code, and the Civil Code of Procedure; government regulation of the production, distribution and sale of certain agricultural and industrial products; reorganization of the Banco de México; revision of the Law of the General Means of Communication and the Law of the Nationalization of Property; establishment of a General Insurance Law and an Absentee Tax Law.<sup>84</sup>

The procedure by which a president secured the necessary authority from Congress to issue executive decrees was fairly uniform. The presidential request for extraordinary powers was made usually a week or two before the regular session of Congress came to an end.<sup>85</sup> Congress would then pass a law stating that the president was to have "extraordinary powers to legislate," in a particular matter or broad field, such as "to legislate in all matters of finance" or simply "to create a Code of Commerce."<sup>86</sup> Congress was fairly consistent in placing a time limit on such grants. It also developed the custom of requiring the president to present it with a list of all the decrees he had issued. Presumably, Congress could refuse to accept them, despite the fact that they might have been in force for several months. But the Congress at no time refused to accept such decrees ordered by any president. Congress always passed a law, often quite belatedly as a sort of afterthought, which gave blanket approval of all executive decrees issued by virtue of a grant of extraordinary powers.<sup>87</sup>

During the period from 1917 until 1938, the Supreme Court always gave complete and unqualified support to these practices, despite the fact that there never was a "grave emergency" or a suspension of individual rights as required by Articles 29 and 49 before there could be a grant of extraordinary powers. The justification of this use of extraordinary powers by the court always was based upon the classic interpretation of Vallarta. But the Court continually ignored the fact that Vallarta, in approving the use of extraordinary powers, never departed from the thesis that such powers could be given only as a result of an emergency described in Article 29, together with a suspension of guarantees.

Two cases can be cited to indicate the attitude of the Court. On February 21, 1924, President Obregón, acting under the grant of extraordinary

<sup>84</sup> Texts of and references to these decrees in Secretaría de Gobernación, *Memoria*, 1935, 1936, 1937-8, *passim*.

<sup>85</sup> Congress is out of regular session from December 31 until the following first day of September.

<sup>86</sup> Such delegations of authority were given to Rodríguez and can be found in *Diario Oficial*, January 8, and 20, 1934.

<sup>87</sup> An example of such a law is in *Diario Oficial*, January 9 and 20, 1934, and states: "The Congress of the United Mexican States approves all of the acts of the Chief Executive of the Union and approves all the laws and decrees issued by him during the period from December 30, 1932, until August 31, 1933."

powers given to Carranza seven years earlier to legislate in all matters of finance, issued an Income Tax Law.<sup>38</sup> The validity of the law was upheld, along with the use of extraordinary powers by Obregón a short time later in the case of Carlos B. Arellano.<sup>39</sup> The Court agreed that the power to issue laws belonged to the legislative branch of government but then went on to state:

Congress may concede some of its functions to the Executive for the regular functioning of the public administration without this being considered an unconstitutional use of such power on the part of the Executive, because it does not signify the union of two powers in one, for the reason that Congress does not pass to the Executive all its powers but only those that through the circumstances expressed should be invested in the Executive; nor does this concession signify a delegation of legislative power to the Executive, but rather a co-operation or aid of one power to the other which should be furnished by the powers through whom the people exercise their sovereignty, provided always that the conditions require it for the normal functioning of the diverse branches of public administration.

Again, in 1936, the Supreme Court upheld the use of extraordinary powers granted to Cárdenas to legislate in finance, agriculture, national economy, health and judicial affairs, in the following words: "The extraordinary powers conceded to the Chief Executive by the Legislative Power to legislate limitedly and in certain realms, are not unconstitutional, because such a delegation is considered to be a cooperative aid, from one Power to another, and not as an abdication of functions on the part of the Legislative Power."<sup>40</sup>

Presidential legislation by use of extraordinary powers without a grave national emergency and a suspension of guarantees came to an end on August 12, 1938. At that time, a constitutional amendment to Article 49 was adopted. It is the greatest irony that Cárdenas, after an indiscriminate assumption of the legislative function, should be the one to propose a constitutional amendment designed to eliminate such a practice in the future. When requesting the amendment Cárdenas carefully omits himself from censure in these words:

It has been a practice in the part of presidents of the Republic to request from Congress a grant of extraordinary powers to legislate on certain subjects, thereby making easier the passage of laws that need immediate passage to cover new situations. The administration over which I preside believes that such a practice

<sup>38</sup> *Diario Oficial*, February 27, 1924.

<sup>39</sup> *Semanario judicial de la federación*, XXI, Época 5, 1564. Four similar cases are noted in *ibid.*, 1997.

<sup>40</sup> *Semanario judicial de la federación*, L, Época 5, 489.

has produced the regrettable result of diminishing the activities of the legislative power, seriously destroying the system of representative and popular government established by the constitution, . . . adding power to the executive which has the danger of transforming our democratic, republican and federal system into a personalized dictatorship.<sup>41</sup>

This reform merely added the following sentence at the end of Article 49: "In no other case will extraordinary powers to legislate be granted to the Executive."<sup>42</sup>

The case referred to in this amendment is the one provided for in Article 29, when in an emergency, with the suspension of guarantees, Congress can grant extraordinary legislative powers to the president. But this amendment did not alter the meaning of the original text of Article 49, nor did it add anything. It only reiterated what was already in the article as created in 1916. Some additional strength was given to the original intent and meaning of Article 49 by the addition of the words "in no other case."<sup>43</sup> Thus, there are two successive situations: the one before the amendment of 1938, in which the judicial interpretation sanctioned as constitutional the delegation of legislative powers to the executive; the one after the amendment of 1938, which, if jurisprudence respects the amendment, will make unconstitutional any law produced by the executive unless its issuance conforms to the provisions of Article 29.

There has been no grant of extraordinary powers to the president in peacetime since August, 1938. But as a result of the Mexican declaration of war against Germany, Japan, and Italy in May, 1942, President Ávila Camacho asked for and received a suspension of guarantees and a grant of extraordinary powers.<sup>44</sup> The provisions of Article 29 were faithfully observed with respect to suspension of guarantees.<sup>45</sup> The grave situation

<sup>41</sup> Quoted in Secretaría de Gobernación, *Memoria*, 1937-38, pp. 386-87.

<sup>42</sup> *Diario Oficial*, August 12, 1938.

<sup>43</sup> See also Salvador Fernández Riveroll, *¿Puede el ejecutivo, de acuerdo con nuestros preceptos constitucionales convertirse materialmente en legislativo?* (México, 1942), 52-58.

<sup>44</sup> Decree of June 1, 1942, in *Diario Oficial*, June 2, 1942. The constitutional articles suspended by this decree were Article 4, paragraph one of Article 5, Articles 6, 7, 10, 11, 14, 16, 19, 20, 21, paragraph one of Articles 22, and 25.

<sup>45</sup> During a meeting of the cabinet of May 22, 1942, Ávila Camacho raised the problem of securing a grant of extraordinary powers to meet the war emergency. One of those present suggested that it would not be necessary to suspend any constitutional guarantees. A broad grant of extraordinary legislative powers was all that would be needed. Ávila Camacho rejected the entire idea, which would have violated both the spirit and intent of the 1938 amendment of Article 49. In this connection, the Secretary of National Economy asked the noted Mexican jurist, Felipe Tena Ramírez, to offer his opinion on the correct course to follow when invoking Article 29 of the Constitution. Tena Ramírez observed that it was absolutely necessary to have a suspension of guarantees before a grant of extraordinary legislative powers. He warned that unless this course was followed, the future might very well witness a return to the irregular practices prior to 1938.—Tena Ramírez, *Derecho*, 211-21.

facing the country was described and the articles of the Constitution which were to be suspended were carefully selected and noted. A time limit was placed upon the duration of the suspension.<sup>46</sup>

In another respect, however, the decree of June 1, 1942, was not in strict conformity with Article 29 of the Constitution. The extraordinary powers granted to Ávila Camacho were not clearly enumerated. Article 4 of the decree of June 1, 1942, merely stated that the president was to have the power to modify any "branch of the public administration" necessary for the defense of the nation. Article 5 gave the president the power "to legislate in all branches of the public administration." The president was required to report annually to Congress all decrees and modifications he had undertaken by virtue of the grant of extraordinary powers (Article 6). In addition, there was no time limit placed upon this very broad delegation of legislative power as there had been upon the suspension of guarantees.

In the light of the war emergency, Ávila Camacho made a somewhat sparing use of both the suspension of guarantees<sup>47</sup> and extraordinary legislative powers. He did not make it a policy to impose wide social and economic reform through the possession of such powers as had some of his predecessors. In a great campaign against illiteracy, Ávila Camacho issued an executive decree on August 21, 1944, which required all literate Mexicans between the ages of eighteen and sixty to teach at least one illiterate person how to read and write Spanish.<sup>48</sup> A new teacher-training institute was established in March, 1945, set up by an executive decree of December 26, 1944,<sup>49</sup> for the purpose of helping teachers improve their teaching preparation and eventually qualify for a teacher's certificate or degree.

Although there was a wartime no-strike pledge in Mexico, it was not faithfully adhered to. A series of proposed and actual strikes in February, March, and April, 1943, brought an immediate presidential intervention.

<sup>46</sup> See the decrees implementing the general law of June 1, 1942, which carefully provided for the method of suspending certain constitutional guarantees and the expanded powers and duties of government officials made necessary by the suspension. *Diario Oficial*, June 13, 1942; September 12, 1942; October 20, 1942; May 15, 1943; September 17, 1943; March 29, 1944; July 31, 1944; August 19, 1944; September 19, 1944; June 23, 1945.

<sup>47</sup> The legality of one section of the decree suspending constitutional guarantees has been questioned. Article 18 of the *Ley de prevenciones generales* issued by Ávila Camacho by virtue of the powers granted to him by the decree of June 1, 1942, stated: "There shall not be permitted any request for *amparo* that is concerned with the emergency laws. If any such request is undertaken the judgment should be stopped as soon as it becomes known to the federal authorities. . . ." The prohibition of the right of *amparo*, even in wartime, has been denied by one authority. Ignacio Burgoa, *La legislación de emergencia y el juicio de amparo* (México, 1945), 55-103.

<sup>48</sup> Decree in *Diario Oficial*, August 29, 1944. For a discussion of this decree, see M. Ávila Camacho, *Informe rendido al H. Congreso de la Unión, 1944* (México, 1944), 9-12. The decree was extended in 1946 by Congress and in succeeding years under Alemán.

<sup>49</sup> Decree in *Diario Oficial*, December 30, 1944.

Ávila Camacho threatened to use his extraordinary powers in the proposed strikes of the textile, mine, and railroad unions if work stoppages developed. All differences were settled immediately in these conflicts, as they were in actual strikes of sugar workers, electricians, and streetcar unions in the Federal District.<sup>50</sup> Ávila Camacho then issued a series of executive decrees in September, 1943, to cope with any future labor problems.<sup>51</sup> They provided for some general wage increases and then froze wages at a set level. Two decrees, of September 21 and 24, 1943, provided strict penalties for those participating in "illegal strikes."<sup>52</sup>

However, Ávila Camacho made the greatest use of *facultades extraordinarias* along the economic and production fronts during the war. Only a few such measures can be noted by way of illustration. The first step taken in the economic field after the Mexican declaration of war was to set up an Emergency Economic Planning Board in July, 1942, for the purpose of gathering facts and figures on Mexican industrial production and necessities.<sup>53</sup> In October, 1942, Ávila Camacho created a War Production Board (*Coordinación y Fomento de la Producción*) in a move to secure a broad supervision and co-ordination of all war production.<sup>54</sup> To meet the serious problem of inflationary prices, all agencies associated with price control and industrial and agricultural production were brought together into a Consortium (*Consortio*) in February and March, 1943.<sup>55</sup> The Consortium was to collect, market, and store all articles of necessary consumption. Other decrees were issued in September, 1943, to bolster agricultural production and price stability.<sup>56</sup> In January, 1944, the President took

<sup>50</sup> For a fuller discussion of these labor problems, see *Mexican-American Review*, March, June, 1943.

<sup>51</sup> Texts of these decrees are in *Diario Oficial*, September 24, 1943.

<sup>52</sup> An illegal strike was defined as the "collective suspension of work, other than a legally declared and notified strike." The severity of these decrees can be seen from the following provision of the decree of September 24, 1943: "The government will attend promptly to the just demands of labor. Therefore, illegal work stoppages will not be permitted. Legal means of redress are provided in federal labor laws. Workers who participate in illegal stoppages will be fined and the employer may also make deductions from their wages for the time missed. Employers who initiate illegal lockouts will be fined twice the amount of salaries due their employees for the period of the lockout."

<sup>53</sup> For the creation and operation of this board, see Secretaría de la Economía Nacional, *Memoria*, 1942, p. 54, under the section dealing with *Comisión federal de planeación económica*. The board was reformed slightly in 1943 to conform with later decrees. For the reform, see *Diario Oficial*, April 28, 1943.

<sup>54</sup> *Ibid.*, October 26, 1942.

<sup>55</sup> *Ibid.*, March 2, March 9, April 28, 1943.

<sup>56</sup> These decrees are given in Secretaría de la Economía Nacional, *Memoria*, 1944, Appendix, under *Consortio*; *Diario Oficial*, September 21, October 14, 1943. Three of the decrees were aimed at increasing the cultivation and improving the distribution of corn and sugar. All agricultural banks were ordered to reorient their policies in making loans to farmers for corn cultivation. No loans were to be made to farmers unless they agreed to dedicate a minimum of from 10 to 15 per cent of their land to raising corn. Corn cultivation became compulsory except in sugar cane regions.

additional steps to combat price rises and remodeled the entire price-control structure by executive decree. Among other things, price-control powers were located with the Secretary of the Treasury and the structure and organization of production agencies revamped and streamlined.<sup>57</sup> Prices began to stabilize in the fall of 1944 and even receded in the case of some articles. Some rises were noted throughout 1945 and early 1946, but the steady increase all along the line in earlier years was absent.

Soon after the cessation of hostilities with Japan, the suspension of guarantees was lifted, together with the grant of extraordinary powers.<sup>58</sup> Certain wartime measures designed for security purposes were terminated,<sup>59</sup> but all executive decrees, particularly those in economic and financial fields issued during the course of government administration, were continued as permanent laws by a blanket act of Congress.<sup>60</sup>

President Miguel Alemán Valdez followed the precedent established by Ávila Camacho in adhering to a strict interpretation for employing Articles 29 and 49 of the Constitution.<sup>61</sup> It is interesting to note that on December 30, 1950, Congress amended Article 49 of the Constitution to permit another exception to the established principle of separation of powers.<sup>62</sup> The president is now permitted, with the approval of Congress,

<sup>57</sup> *Diario Oficial*, February 19, 1944.

<sup>58</sup> On August 13, 1945, Ávila Camacho issued an executive decree continuing the suspension of guarantees and the extraordinary powers for thirty days after the cessation of hostilities with Japan. *Diario Oficial*, August 14, 1945. Congress, on September 28, 1945, raised the suspension of guarantees and, by implication, though not specifically, ended the grant of extraordinary powers. *Diario Oficial*, December 28, 1945.

<sup>59</sup> For example, measures registering foreigners, removal of enemy nationals from coastal regions, and air raid and civilian defense organizations. These decrees are in *Diario Oficial*, August 10, 13, 31, 1942.

<sup>60</sup> *Ibid.*, January 21, 1946.

<sup>61</sup> For example, Alemán did not seek recourse to Article 29 of the constitution to secure the necessary power to combat inflation, as might very well have been done in earlier years. Instead, Congress granted him in *La ley sobre atribuciones al ejecutivo federal en materia económica* sufficient authority to impose price ceilings through his Secretaría de Economía. *Diario Oficial*, December 30, 1950; January 4 and 10, 1951.

<sup>62</sup> Article 49 now reads: "The supreme power of the Federation is divided for its exercise into the legislative, executive and the judicial. Two or more of these powers shall never be deposited with one individual, except in the case of extraordinary powers being given to the Executive of the Union, in conformity with the provisions of Article 29. In no other case, except as directed in the second paragraph of Article 131, shall there be granted extraordinary power to legislate." The second paragraph of Article 131 referred to in Article 49 was added, not amended. It states: "The Executive may be given the power by Congress to increase, lower or abolish tariff quotas on exports and imports, established by the proper Congress and to create others; also, to restrict and prohibit imports and exports of products, articles and goods, when he believes it urgent, for the purpose of regulating foreign trade, the economy of the country, the stability of national production, or of realizing any other purpose, for the benefit of the country. The Executive, when sending the annual budget to Congress, will submit for its approval, the use he has made of the power granted to him."—*Diario Oficial*, March 28, 1951.

to raise, lower, or abolish tariff quotas or "create others" as well as to restrict or prohibit imports and exports.

Several conclusions can be drawn from the development and use of *facultades extraordinarias* in Mexico. The ending of extraordinary decree powers in normal times cannot be credited entirely to the constitutional amendment of Article 49 in 1938. The amendment only reiterated what was contained in the article as originally drafted. President Cárdenas, undoubtedly stung by criticism of his dictatorial methods,<sup>63</sup> sought the amendment as evidence to support his own claims of a democratic administration. There would have been no amendment had it not been advocated by Cárdenas. His total domination of Congress through his party, the Partido Revolucionario Mexicano,<sup>64</sup> precluded the adoption of any constitutional change not sought by him. It is probable that Cárdenas felt he had accomplished a number of the aims of his program as well as those of the Mexican revolution in general by the device of executive decrees. Therefore it was no longer necessary to utilize this more direct means of legislating. Undoubtedly Cárdenas wished to end the precedent of extraordinary decree legislation in order to forestall the possibility of succeeding administrations undoing his reforms by the same rapid methods he had used to effect them.

The development of what has become a virtual one-party system in Mexico has guaranteed practically unanimous support of all presidential demands by the Congress in the past twenty years. There is no conclusive evidence that this will not be the case in the future. This interesting political situation means that Mexican presidents have no need of compromising the constitutional provisions covering extraordinary decree powers and therefore utilize the less convenient, but regular, channels for securing legislative enactments. The Mexican experience with extraordinary powers during World War II indicates that, by and large, the form and intent of Articles 29 and 49 of the Constitution were followed. Most instances of their use can be justified by the war emergency. Matters not clearly associated with the war were covered by normal congressional methods. The overwhelming political support provided by Ávila Camacho's party followers in Congress relieved him of any need for depending upon *facultades extraordinarias* in carrying out his nonemergency legislative program.

The 1950 amendment to Article 49 of the Constitution might be considered a retrogression in one sense but cannot be explained so readily. The

<sup>63</sup> See, for example, the series of articles by the distinguished former rector of the University of Mexico, Rudolfo Brito Foucher, in the April, May, June and July issues of *Hoy*, 1938; also Eduardo J. Correa, *El balance del cardenismo* (México, 1941), particularly chapter v.

<sup>64</sup> The party was created in 1929 as the Partido Nacional Revolucionario and changed its name in March, 1938. In 1946 it was renamed again and is now the Partido Revolucionario Institucional or P.R.I.

writer has discussed the problem of *facultades extraordinarias* with a number of distinguished Mexican jurists, some of whom believe it a mistake for the president to cease issuing executive decrees in normal times. They reasoned that only technical experts on the presidential staff are capable of drafting legislation. The politicians in Congress only complicate and confuse such technical matters because of their lack of experience. Although this is an exaggerated viewpoint, it has some validity. Legislatures throughout the world have been overburdened with legislation in the most complicated fields. In Anglo-Saxon countries, with deep democratic traditions and long established respect for legislative bodies, quasi-legislative functions are continuing to be granted to administrative agencies from sheer necessity. In Mexico, as well as in all of Latin America, political maturity and the democratic process have developed slowly. Although ministers have possessed rule-making powers for some years, the semiautonomous regulatory agency has been introduced sparingly and only recently. Only in rare instances do nonpartisan advisory commissions serve the executive and legislative branches in specialized fields. There is, therefore, a growing need for the technical expert and administrator to assist both Congress and the president. The recent but definite development in this direction itself can explain the abandonment of extraordinary powers outside of grave emergencies in Mexico. Thus, President Alemán went to the trouble of adopting a constitutional amendment in 1950 in order to secure the power to alter tariff quotas and restrict imports and exports. A simpler act of Congress might have been better. Possibly such powers should have been granted by legislation to some administrative agency. Nevertheless, it was believed necessary to regularize presidential acts by a constitutional amendment covering a special, recurring set of problems and not to depend upon Article 29 of the Constitution for a grant of *facultades extraordinarias* to meet the situation.

It is to be hoped that a growing sense of executive responsibility has contributed to the more normal use of extraordinary decree powers. In the last analysis, the progress of democratic government in Mexico can come only through a broadening of the political base and the maturation of executive-legislative relationships.

# Guide Theory for the Study of Informal Inmate Relations

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AMERICAN sociology has contributed at least two distinctive movements to penology: the interest in prediction of personal adjustment and the study of informal inmate relations. The prospect of theoretical and practical advance should be very encouraging if these movements could be merged. Much more work is needed, however, before the prediction of personal adjustment in penology can be precisely served by knowledge of informal inmate relations. This paper is devoted to promoting that end.

To the degree that the study of informal inmate relations can be epitomized in terms of two qualities, it can be identified by the isolation, description, and comparison of conventionalized modes of inmate adjustment and by documentation for the hypothesis that an inmate's position in prisoner society—indeed, much of what he learns there—is shaped by other prisoners' classification of his behavior in terms of such adjustment categories. Thus, for example, Clarence C. Schrag, working at the prison at Walla Walla, Washington, isolated and identified the *Square John*, *right guy*, *politician*, *outlaw*, and *ding*.<sup>1</sup> He supported the position that judgments by other convicts of the behavior of a given inmate have far more effective control over his actions than do formal front-office pronouncements and employee policies.

Norman S. Hayner, however, in reviewing a series of such studies made under his supervision (including Schrag's), has made a point that extends the central theory of informal prisoner relations into new, quite unexplored dimensions.<sup>2</sup> He explicitly called attention to a second standard basis for interpersonal discriminations used by prisoners in accepting or rejecting

<sup>1</sup> Clarence C. Schrag, "Social Types in a Prison Community" (master's thesis, University of Washington, 1944). In addition to these prison-initiated types, Schrag noted the *fish* or novice.

<sup>2</sup> Norman S. Hayner, "Washington State Correctional Agencies as Communities," *Social Forces*, XXI (1943), 316-22.

their fellows—a form of value judgments, based on conventionalized personal-trait assessments of quite a different order, on which he held to be more personal and often marked by loyalty attachments actually cutting across conventionalized major modes of inmate adjustment. Hayner did not weigh the effect of this observation fully; he merely noted these assessments, such as “wolf” and “punk,” as secondary characterizations. He did not amplify his judgment of them as more personal. Nor did he relate in detail his idea of two major value patterns influencing informal inmate grouping to another important judgment—that relations among inmate boys are somewhat similarly but not so rigidly defined as those among adult prisoners.

Might not the differences which Hayner noted between informal social structure in a school for delinquent boys and that in a prison point directly to a need for isolation of still other common value forms influencing rejection, acceptance, and allegiance among inmates? If more than one criterion of assessment is suggested, does this not anticipate the relating of all evident ones? Moreover, there are correlate problems. Studies of prisoner systems of day-to-day living have shed but dim light on the working organization of prison-employee society. Might not a detailing of the grouping controls in an inmate society provide guiding ideas for the study of employee social organization and from this the means of relating inmate and employee social systems?

Research and employment experience extending over a period of three years in a state boys' school has encouraged this attempt at synthesis of available information dealing with these questions.<sup>3</sup> The premise here is that even fragmentary review might make a legitimate contribution to the design of further research by suggesting a theoretical pattern of informal social relations in penal life that can be concisely directed to succinct propositions and sharp hypotheses. Since practices vary widely and since only a few studies contain structured insights on informal social organization, there can be no assumption of universality or typicality for these ideas. They have, indeed, been pieced together from many sources. The frame of reference which emerges from this piecing can have no possible service other than the refinement of research assumptions.

From data available, it does seem possible to isolate several distinctive values affecting interaction and socialization among institutionalized delinquent boys. The types which Hayner saw—conventionalized modes of inmate adjustment and the incompletely defined conventionalized personal trait assessments not directly pertinent to major adjustment patterns in

<sup>3</sup> Some forty theses, drawn from *American Journal of Sociology* listings, and an equivalent number of administrative survey reports, taken principally from *Federal Probation* notations, were reviewed. Major documents are independently cited.

prison living—obviously operate; so do distinctive assessments of assigned or achieved institutional offices and certain immediately interpersonal isolating or identifying amity-aversion judgments. Description of these four value patterns can be provided. A crude system for relating inmate evaluations in their own terms can be outlined. This suggests a partial explanation for the differences Hayner noted in the inmate social systems of juvenile and adult correctional or penal agencies. Further, this theory seems pertinent for analysis of the social patterning which develops among employees and directs attention to the next steps for inquiry.

The specific nature of the guide theory to be outlined here can be briefly stated. It is that interpersonal choice among correctional school employees and inmates is defined in terms of the four types of value mentioned above, but, also, that it is in part controlled by more or less arbitrary institutional placements. Further, the weighting of values seems to be affected systematically by tenure. Crisis experience appears to be a major determinant of value reorientation and group realignments. Perhaps this core of ideas overemphasizes parallels in employee and inmate social systems. Two quite fundamental contrasts in these two social worlds can be indicated: (a) the difference in the characteristic tensions inmates and employees face; (b) the difference in the way these individuals tend to identify themselves in groups. To examine these points, presentation will follow the order of this brief. The initial obligation is to identify the common value criteria which apparently affect penal groupings.

All the major conventionalized inmate adjustment modes that Schrag found in the Washington prison were well inscribed in argot and custom in the boys' school that the writer knew intimately. The fish were *greenhorns* or *just kids*; the Square Johns, *farmers* or *rubes*; the right guys, *cons*; the politicians, *smoothies* or *shots*; the outlaws, *mavericks*, *mad dogs*, or *outlaws*; the dings, *queers* or *goons*.<sup>4</sup> There was one other, the *rat* or *stoolie*, typed as a purposive informer tattling for immediate favor or for retribution. There was a clear distinction between revealing as *ratting* or *snitching* and rats or stoolies: Shots might take the risks of informing to entrench their position; goons might snitch at random. Almost any boy, fairly sure his information could not be traced, might alert an employee by oblique remarks. Yet, should these boys be accused of snitching, they

<sup>4</sup> Hayner reported that it takes a boy about a month to learn the mode of detention adjustment he will follow. A confirming judgment does not seem possible from the writer's experience. Boys released from first commitments might be almost pure type greenhorns; they might at least have been greenhorns, then farmers, then cons. The prime influences determining change in role conceptions seem to be crisis experience and selective exposure to enclave values. There may be considerable variation, too, in an inmate's definition of an adjustment role and others' assignment of him to such a category: a boy may regard himself as a con, be commonly regarded by others as a greenhorn.

would not necessarily be retyped as stoolies. They would not be unless the motives for favor or retribution were clearly identified, unless the instance was irrefutable and of concern to others as a patent violation of mores, or unless the transgression, if minor, was considered to be an indication of marked personal reorientation.<sup>5</sup>

Roughly similar adjustment types appear among workers. There are greenhorns or fish among employees as well as among boys. Distinctive initiated types are also apparent. The literature makes evident four types:

1. *straightliners*, or impersonal but approachable workers, unemotional, usually orthodox, hard but fair
2. *bulls*, or overbearing, vindictive workers, extremely routinized and orthodox
3. *mas*, or emotional, erratic workers, usually at odds with the correctional school system, who frequently disrupt routines and conventions by instituting their own unpredictable policies and sanctions
4. *sucks*, or irresponsible or derelict employees, merely going through the motions of doing their part.<sup>6</sup>

The most evident cues indicating a thread of grouping control values in boys' schools are those Hayner stressed—the personal attribute assessments, not pertinent to major patterns of enclave adjustment, which type individual or personal qualities into locally meaningful and customary trait definitions. *Bo* (hobo, bum), *hep dukie* (good fighter), *bobtail* (returned escapee), and *papa* (primary "monogamous" sodomist), terms indicating common personal traits embedded in inmate society, may reveal judgments which are pivotal for interaction analysis. In the same way, the cottage master called "Pa" by boys and then by other workers as a mark of approval for his management may represent an ingrained local type.<sup>7</sup>

<sup>5</sup> Sam H. Moorer, "The Reformatory as an Educational Institution" (master's thesis, Vanderbilt University, 1935). Moorer considered a "rat," who happened to be a small crippled boy forced soon after admission into homosexual service. His reaction was to ferret for any shred of inmate incriminating information and to inform in retaliation. His reputation was generally known and clearly typed by employees and inmates. In either group, amicable interaction with him was subject to surmise and censure.

<sup>6</sup> Casual suggestions imply that the concentration of power in hands of employees adjusting in one particular way to institutional life invites a concomitant power concentration among inmates—thus it might be that politicians prosper when key employees are novices, while cons do so under bulls. The problem patently invites comparative study.

<sup>7</sup> Frank McClelland ("Institutional Survey of Kansas State Boys' Industrial School," master's thesis, University of Kansas, 1932) made a comment reflecting use of typed personal traits and detention adjustment values in nicknames: "They call me 'Big Boy' or else 'New Guy.' Not being particular I answer to both!" Moorer explained how "sentences" can encourage personal-trait typing. Tennessee used both definite and minority sentencing. He wrote: "The boys who have sentences for a definite term are looked up to by boys who have no certain time. Those who have sentences such as 'three years flat' are considered to have done something worth mention."

Everyone in correctional schools is located in an institutional office position—perhaps in a series of them.<sup>8</sup> Office cues for inmates may be formal, as are the common military titles and the "classes of citizenship" associated with a bureaucratic system.<sup>9</sup> They may be informal, as with boys called "Chief" or "Top Dog" because of dominance or leadership in work crews. "Trusty" is usually an honored office; "bootgangers," the name given polar opposites of trusties in the boys' school in which the writer worked, may be as clearly defined. Boys accepting different modes of detention adjustment may assign distinctive values to a given work assignment—outlaws may take pride in being bootgangers and scoff at trusties. A few jobs are commonly considered "plush" or extremely attractive and are objects of constant maneuvering, particularly among shots. The superintendent's orderly in the school that the writer knew held a very plush job. He had daily contact with the outside and with office business and gossip. He was permitted special clothing and freedom from routines. He could traffic in cigarettes or other commodities quite freely. He was often questioned confidentially as an expert on inmate opinion. With a little finesse he could use this advantage to exert telling pressure on other inmates or even on employees. In the cottages he was something of an unofficial ambassador to the superintendent and parole officers. He also was a prime source of news about policy, new boys, and release schedules. The head detail officer felt that any boy who could be assigned to this job would become a shot—an extremely privileged one. For over three years there certainly was no exception.

Office values among employees can be as readily identified. Be he greenhorn, straightliner, bull, ma or suck, the superintendent is still the "Big Wheel." However the head detail officer meets his obligations, he is the "Captain" or the "Whip." Employees and boys alike mark a cleavage in the job status of subordinate officials—they are "officers and staff": To the boys, officers, who must work and control them, are usually "against us"; staff members—religious, medical, parole workers, teachers—"for us." In the school that the writer knew, the distinction was even more

<sup>8</sup> Even visitors may be typed as *folks* (relatives), *gawkers* (curious visitors), or *delegates* (officials). Schrag noted that a researcher may be the one participant not having a prescribed role to play. He added: "But this undefined status does not long continue. The researcher is assigned a name and typed according to group expectancies. From then on his role determines the nature of his findings." Helen J. McCarter ("Care and Status of Delinquents at the Oregon State Industrial School for Girls," master's thesis, University of Oregon, 1936) made similar observations, stressing the point that a researcher identified with the staff is blocked from much inmate data.

<sup>9</sup> Harry B. Studer ("Two State Institutions for the Treatment of Delinquent Boys," master's thesis, University of Missouri, 1937) noted in Missouri that each "company" was staffed by boy "officers," usually eight to ten of them, who were given much responsibility—a practice which encouraged development of company "politicians." They were selected on ability to maintain order and were usually institution-wise and fairly high in intelligence.

sharply marked in employee interaction. Officers commonly blamed staff members for information leaks and coddling; staff members suspected officers of brutality and sabotage of correctional policies. A typical officer opinion seemed to be that the school's prime business was to get the work done—that it was a place of atonement, with security the first obligation. "Making good," a matter of a boy's personal initiative, could be exhibited only after his release. On the other hand, staff members seemed to think work less important than boys, that calculated trust risks were sometimes preferable to absolute security. "Making good" was a matter of school-and-boy responsibility beginning with induction.<sup>10</sup>

Expressions like "goddam jerk," "dirty louse," and "okay guy" may reveal the fourth pattern of grouping values. They may of course reflect judgments of proximity or distance deriving from earlier noted types of assessment, but this is not necessarily so. Distrust and rejection may have no more foundation than a perceived slur or aggressive act. Intimates under tension can fall out violently over minor or unintended and presumed affronts. At the same time, strong interpersonal amity can sometimes be traced to a single event where strangers "just hit it off together." An old-timer in the school where the writer worked broke up something of a kangaroo court in which a feeble-minded novice was being tormented. With almost nothing else in common, these boys were friends thereafter. C. C. Van Vechten recalled two employees, living in the same house and keeping their cars in the same garage, who drove their daughters to and from the same school each day. Years before, there had been conflict over a car pool. Friction had lived and grown. Although both realized the absurdity of the situation, neither would unbend. They tried to avoid meeting except on business and not to sit facing each other at their daily meals in the dining hall.<sup>11</sup>

<sup>10</sup> Office norms frequently create problems for employees and boys in that expected and actual practices may be hard to reconcile. Employees, for example, must explain their work favorably to outsiders and yet be safe if some discerning questioner cuts under surface descriptions. A parole officer may be responsible for two hundred scattered boys. His supervision may amount to no more than semi-annual "regular" visits on which he will be lucky to see a third of his charges and interspersed "trouble" trips. Most of his actual working time may be devoted to serving as a front office errand boy, a guide for visitors, and a relief officer. Asked by outsiders "What do you do?" he responds in terms of formal expectations: "I supervise parolees." If this draws ferreting, he retreats, as far as the tactical situation seems to demand, behind such protection as "Actually, however, . . ." Maurice O. Hunt ("The Program of the Indiana Boys' School," master's thesis, Indiana University, 1938) has made a realistic critique of parole supervision in this light.

<sup>11</sup> C. C. Van Vechten, "A Study of the Success and Failure of 1,000 Delinquents Committed to a Boys' Republic" (doctor's dissertation, University of Chicago, 1935). Gordon W. Allport (*Personality*, New York, 1937, pp. 500–509) has described "first impression" amity-aversion cues. See also Harold H. Kelley, "The Warm-Cold Variable in First Impressions of Persons," *Journal of Personality*, XVIII (1950), 431–39.

The evident principles defining choice as a group-initiating operation in terms of these values can be succinctly stated:

(1) Rejection appears to be invited wherever another's evidenced acts or perceived attitudes sharply violate an observer's own personal tenets in any one of these systems of value, this reaction perhaps being subject to compensation by assessments in terms of correlate values. Further, as Hans Riemer's experience testifies, it appears to be invited, even when a person is not well known, if he commonly associates with individuals whom the observer rejects.<sup>12</sup> (2) A more or less neutral aloofness appears to be invited wherever another's acts or attitudes are insufficiently known, either through observation or gossip, for judgment. (3) Acceptance appears to be invited wherever another's attitudes or acts conform to an observer's principal tenets, or when he is not well known, if he commonly associates with individuals who so conform. (4) Once ingroup bounds are established, interpersonal allegiance seems to depend upon mutual perceptions of being "right"—that is, upon harmony in perceived dominant personal or social values.

It has been suggested that personal choice in terms of these grouping values frequently is influenced by more or less arbitrary placements. Job and residence placements in both inmate and employee society do establish concentrated ranges of social exposure, invite acceptance and allegiance within these ranges, and encourage the development of appreciable social distance toward individuals placed elsewhere. A novice parole officer presumably would be exposed primarily to staff values. If he accepts them, an ethnocentric view of guards is suggested. On the other hand, the same novice, dinned on security by old-time bulls and detailed as a nightguard, could be expected to learn to look askance at those speaking about psychodynamics and group therapy. Job assignments affect inmates similarly. Rivalry between farm and dairy boys in the school that the writer knew apparently had a long history. There were catcalls back and forth and occasional gang fights. Assignment to one of these crews meant instant exposure to these traditions. The development of any sense of belonging on the part of the newcomer almost invariably meant acceptance of the prejudices of that group. Where individuals are assigned to groups such as workcrews, considerable ingroup identification may in time incorporate members whose rejections were at first markedly aggressive. In the school where the writer worked, boys so typically went through a cycle from rebellion against work and clashes with work associates to gradual adjustment and finally to a real sense of belonging that it was more or less expected.

<sup>12</sup> Hans Riemer, "Socialization in the Prison Community," *Proceedings, American Prison Association*, LXVII (1937), 151-55.

It has also been suggested that the weighting of associative values varies generally with tenure. Among novice inmates, judgment of others seems to be highly colored by "first impression" amity-aversion cues. Quickly they learn the conventionalized local forms of private-attribute typing. The impact of reform school living upon novice employees apparently is different. At first they are chiefly aware of office titles and prerogatives. But, as among new inmates, their social relationships quickly take on meaning in terms of amity-aversion perceptions and enclave definitions for private personal-trait typing. In either group, perception of major modes of inmate adjustment takes time and experience. It is not generally apparent, as experience broadens for boys or employees, that any one of these four types of value discrimination becomes predominant. What is apparent is that experience brings perception of value forms requiring considerable enclave exposure for pointed meaning. These value forms are then used with the assessments, apparent on arrival or soon thereafter, to judge associates in terms of social distance. Boys' schools, more than prisons, contain a large proportion of individuals with short exposure to penal living. Perhaps the differences Hayner observed between these two agencies result from these tenure differences. This would mean that the boys' schools enclave patterns of evaluation are relatively loose simply because many inmates are actually in early stages of penal acculturation, whereas in prison the value system is stable because most men have through long tenure learned its complex patterning. Obviously, this problem is one that can easily be tested.

Apparently tenure also affects allegiance. Schrag pointed to novices or "fish," "old-time cons," and those between. Similar tenure classes are defined in employee and inmate life in correctional schools. Among workers or boys, novices are strangers—curiosities, perhaps threats to security. They cease to be novices by an identical status-defining process. Tales of outside experiences, identification of friends or acquaintances, manner of speech and evidence of such traits as timidity, reticence or social ease—these things provide others with cues for classifying a novice in terms of amity-aversion or locally meaningful personal-trait definitions. Some consensus may be developed from such initial judgments, but two special interaction channels for the novice soon develop. First, close work associates, becoming less reserved, put him at ease and begin his informal indoctrination. The relatively free discussion which follows gives the novice and his associates deeper insights as they "get next to each other." Second, the novice will size up and be sized up by associates outside of work relations. In these interactions each person brings to bear whatever associative values he perceives. Whom the associates of the novice, determined through these channels, turn out to be further orders consensus concerning him. Through

such contacts, the novice, by the time he faces his first marked conflict arising from life at the school, usually will have located at least potential confidants who can interpret problems. When occasion arises, these associates convey their own interpretations of social structure and thus help him to crystallize his role and self-conceptions. As such social defining proceeds, the novice is almost certain to detect sharply conflicting views about the school, to note chronic or acute frustrations in those about him, and to face strong rivalries for power and prestige. Becoming aware of such things, an employee or inmate is a marked exception if he remains aloof. Usually he finds himself, and others judge him to be a partisan.<sup>13</sup> Largely through becoming a partisan and by becoming so identified by others, he comes to "belong" and is, therefore, no longer a novice.

Among both employees and inmates mid-tenure is the period of cliquing. If the writer's experience is typical, this does not mean that cliques are composed of individuals adjusting to institutional life in identical or even in roughly similar ways. The principle of concurrent value discriminations would hold in orienting choice and allegiance. Extremely close confederates might, for example, be cons or bulls together, but others who vary markedly in views and behavior might be acceptable also. Rats and certain sexual deviates might be totally rejected by most inmates, as sucks might be by most other employees, but among employees an affable suck might be welcomed by straightliners or bulls if, for instance, he owns an attractive automobile and uses it generously to transport cronies when off duty. There were a few employee-inmate cliques in the school where the writer worked; without exception they included a mid-tenure worker and a small number of boys regularly assigned to him for duty.

Workers who were old-timers in the school usually walked alone. Many had obvious entree to cliques, but seldom were they intimately identified. Commonly they dealt with most workers as greenhorns. To newer workers they frequently epitomized types; among themselves each was unique. If they held opposing views, little tension developed on the job unless issues were forced. Off the job they could take each other or leave each other alone. Each one understood how the others would react on major issues and harmony seemed to depend upon each one doing as expected. They had come to agreement on core principles: Although they might rationalize their

<sup>13</sup> Ida Harper ("The Role of the 'Fringer' in a State Prison for Women," *Social Forces*, XXXI, 1952, pp. 53-60) has noted the special small category among employees and inmates who did not conform to conventional adjustment norms ("faction standards"), but remained as "loners" or isolates, though well acculturated to prison life. As Harper saw it, these fringers threatened the solidarity of the factions by violating their norms; they tended at the same time to reinforce the integration of factions by making partisans clearly conscious of their standards; they lessened intrafaction antagonisms by acting as counterirritants and probably by drawing general fire.

views in different ways, they saw escape as the most dangerous common inmate offense; sodomy, the most reprehensible. They believed that sound policy controlled maximum risks in handling boys and that the best policy produced the least friction. They felt that exposés were seldom, if ever, conducive to progressive change. One had to work from within. Most policy changes they felt were hasty—superficial, politically dangerous, and perhaps impossible to administer. They agreed that the one unquestionable reason for initiating major policy reforms was to reduce pressure from top-grade political powers. They would criticize operating procedures. Yet, attacks by outsiders or newer employees on these very procedures would draw their protests and might be construed as personal affronts. Old-timers among inmates in the school also walked alone, but very frequently this was because of rejection. They were ridiculed as goons and bobtails or as *losers*—boys jeered because of frequent arrest. The only evident central principle agreed on among them typified most other inmates: they wanted "out."

Prison social structure studies have noted that convicts and guards generally assume polar positions, reacting to each other in terms of stereotypes.<sup>14</sup> This extreme polarity existed in the school in which the writer worked wherever inmate-employee conflict was general and acute. Where this condition did not prevail, judgments of those in the other population were highly inconsistent. Inmates would generalize dogmatically about all "screws," then discern sharply. Employee judgments about the boys were similar. But it was extremely common for individuals in the other status to be singled out as "right." Boys gossiped constantly about employees and quite generally judged certain individuals to be "right." Supervisors made equivalent discriminations in selecting inmates for their crews. The principle of such judgments appears to be no different from that covering acceptance and allegiance within either population: one is right if and insofar as he characteristically seems to accept the major tenets held by an observer.

Ingroups in correctional school life are far from stable. They are realigned as members leave the school,<sup>15</sup> as assignments shift, as disputes

<sup>14</sup> S. Kirson Weinberg, "Aspects of the Prison's Social Structure," *American Journal of Sociology*, XLVII (1942), 717-26.

<sup>15</sup> Inmates during the writer's contact served much shorter periods than did those in Tennessee or Missouri when Moorner and Studer made their surveys. Both of these writers stressed the rapid turnover of employees; in the school the writer knew there was considerable replacement in entry jobs but there was a strong leaven of older hands. Perhaps these turnover differences help foster the impressions that inmate social life as the writer saw it was much less rigidly defined in terms of systematic values and inmate grouping much less stable than apparently was the case in Tennessee or Missouri. Among employees in the school of the writer's contact, however, grouping values were clear and groupings apparently much more stable.

come and go, and perhaps as everyday living piles up experiences fostering crevice value reorientation. Crisis experience may quickly recast personal tenets and group relationships. In talking problems out with an upset worker, cronies may reinforce their common judgments. However, when friendships link persons with distinctive slants, someone may "wise up" the upset employee—transfer an intimate understanding of values which he had not perceived before or which he had thought foreign or inconsistent. Then, as frequently happens under mood pressures, friends may be avoided or alienated and new contacts made. Thus, the disgruntled straightliner snaps at his buddies and heads out to the nearest tavern, where he gets the facts from sucks whom he had avoided previously. As he spills his troubles, they interpret. In this way he may vividly experience and even come to share their value orientations.

However, the crises that employees face as they become established fall far short of those the boys meet. Most boys are immersed in tensions long before they arrive. "Troubles" have led toward commitment; officials have used the school as a threat of last resort. For many, the mere mention of it was an acute anxiety cue when the possibility of commitment first became evident. Anxieties are generously fed by induction processing and early life in the school: Boys are bathed, dressed in drab uniform, quizzed, lectured, probed, inoculated, measured, photographed, fingerprinted, shorn, led here, assigned there. They have lived with delinquents before, known police, jails, detention homes, but the eternal school routine, with its own argot, its formal practices, and its confounding, informal ways, is new. Before novices draw their first change of clothing they learn that front office advice doesn't work in the yard. The break with family and other outside roles is always sharp; so is the prospect of an uncertain but obviously regimented future.

Emotional tensions among the boys in the school seemed to be clearly related to group identification and tenure. Following the stress of an induction period, there was a common interlude of marked nostalgia as the unending routines closed in. Novices felt alone and defeated. Usually they seemed inclined to reject most of their associates. This was a common period of frenzy and bizarre attempts to escape. The first real social adjustment came as routines became predictable and then habitual, and as mass living, literally throwing the novice with other boys, made one or two of them acceptable. From then on, during the usual period of detention, tensions waxed and waned with shifting group relationships. Disturbing or encouraging letters from home, coveted assignments lost or gained, praise or rejection by supervisors, friction or friendship in workcrews, the release of an associate who was a friend or foe—these things set emotional themes. As the time of expected release neared, this prospect usually was buoying.

Boys began to talk more about the outside. But when one was detained while others left, his frustrations usually were abysmal. Boys with long tenure and no prospect of release lived a gray and quite isolated life of day-in, day-out listlessness and cynicism. Moorer recalled the boy who had been in and out of the Tennessee school for years and who expected to land in prison after his next release, whenever it came. The writer also encountered this reaction of hopelessness many times.

Except for this point on the shading of tensions, it is the likenesses in employee and inmate social systems that have seemed particularly notable for this review. Another point of difference—one made apparent by Helen H. Jennings' work—offers what seems to be an important lead. Jennings has identified *psychegroups* and *sociogroups* among inmate girls—the former as associations in which identifications rest primarily upon conforming private choices structured principally by egocentric values; the latter as groupings in which attractions are determined largely by social values or collective obligations.<sup>16</sup> The writer's experience indicates that boys in correctional schools made few lasting sociogroup identifications of their own. Co-operation for group rather than for private ends usually grew out of situations where assignments initiated and a supervisor constantly stressed group or team obligations. When a baseball squad was formed, the boys might back the shortstop who could field and hit even if he was quite generally despised as a punk. Probably it would be more typical, as Moorer noted about the Tennessee band, that most boys would strongly object to a notorious punk no matter how well he could play. Employee-status sanctions probably make sociogroup identifications more typical for workers than for boys, bonds recognized at least in formal etiquette in spite of officer-staff rivalry or the many other value contrasts possible.

At this point one can at least wonder whether a real distinction between traditional custodial and more comprehensive correctional systems might not rest in the fact that the latter tend to institutionalize sociogroups embracing both boys and employees—groups in which allegiance engenders accommodation and assimilation as counterthemes for the conflicts of delinquent careers and the regimentation and rejections of baldly authoritarian custodial agencies. A visit to Boys Town makes one feel that this conjecture is reasonable. In any case, before knowledge about the systematic personality effects of correctional school living can be much advanced, it seems clear that more work must be done on the basic problems of group dynamics in these settings. Behind problems of effects, there is almost no precise knowledge of process.

It is the function of guide or model theory in science, however, to point the way beyond gaps and dilemmas in knowledge by establishing frames of

<sup>16</sup> Helen H. Jennings, *Leadership and Isolation* (New York, 1950, revised).

reference, by refining research assumptions, and by presenting propositions suitable for test as hypotheses. If the present review is suggestive along these lines, one obligation remains: to suggest implementation. The first need in studies of informal social structure in penal life is for more gross, but directed, observation—more participant observer accounts, like those of Schrag or Reimer, focusing directly on the argot, customs, status patterns, and group allegiances of penal society. Until a fund of such studies is available, more detailed analysis would probably be wasted effort. If perhaps a dozen studies of this type could be made and their constants and variations noted, the next obvious step would be to follow such leads as are provided by Jennings' pioneering in the measurement of interpersonal relations in correctional or penal societies. Can indicated status types and relationships thus be reliably identified? If so, the value of such knowledge is obvious. The result would be a type of information that could provide a juncture with the prediction movement pioneered by E. W. Burgess, and Sheldon and Eleanor Glueck, for this knowledge should be a signal contribution for loading predictive devices, particularly at the point where Burgess included "social type" as an attribute in his scale.

# A Reappraisal of American Political Institutions

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EVER since Woodrow Wilson published his *Congressional Government* in 1885 there has been a persistent tendency to interpret American institutions in terms of British practice. Some writers have praised cabinet government as it operates in England and advocated changes in the presidential system going part or all of the way towards the establishment of a similar government in the United States. Recently the Committee on Political Parties of the American Political Science Association published a report advocating the development of disciplined and responsible parties in the United States.<sup>1</sup> It would not be unfair to the committee to say that many of its conclusions are influenced by a frank admiration for the British system.

A few years ago Don K. Price pointed out that admiration for the British system is grounded frequently on false assumptions, that Americans think in terms of the "classic" parliamentary system, and that their judgment is marred by this fact.<sup>2</sup> Of course, American institutions are derived from those of Britain; and it frequently happens that a valuable comparison can be made. However, there are at the same time a great many differences, and these must be kept in mind before making sweeping generalizations. It is the purpose of this paper to discuss certain selected topics which illustrate how the tendency to approach the study of American institutions in terms of the British system has given rise to errors in judgment, to a mistaken emphasis, and to the distortion of facts.

<sup>1</sup> "Toward A More Responsible Two-Party System," *American Political Science Review*, XLIV (September, 1950), Supplement. For a critical discussion of the committee's recommendations, see Julius Turner, "Responsible Parties: A Dissent from the Floor," *American Political Science Review*, XLV (March, 1951), 143-52; and Austin Ranney, "Toward A More Responsible Two-Party System: A Commentary," *American Political Science Review*, XLV (June, 1951), 488-99.

<sup>2</sup> "Perhaps only a psychoanalyst could explain America's peculiar nostalgia for the obsolescent institutions of the mother country."—Don K. Price, "The Parliamentary and Presidential Systems," *Public Administration Review*, III (Autumn, 1943), 317.

*Evaluation of Congressional Committees*

Although there are various means of obtaining information, no parliament can fulfill its basic duties without the discovery of facts. In the United States the investigating committee with its extensive hearings and its sifting of evidence has done much to correct shortcomings and failures in the administrative branch and has paved the way for the adoption of reform legislation. However, it is frequently contended that committee investigations are necessary in the American constitutional system because the legislature and the executive never come together face to face and that these inquiries are inferior to the methods used in parliamentary systems.<sup>3</sup>

Although select committees were the most important instrumentality used in Britain for inquiry purposes in the nineteenth century, they have today almost completely ceased to be of any political importance. This is because under the cabinet system there can be no divergence between the will of the Commons and the will of the Ministry. If the Cabinet desires information on some subject for proposed legislation, it can best obtain this information through a royal commission appointed by the government or through one of the government departments. Members of the House of Commons must rely for their information upon reports made by royal commissions and government departments, upon such information as they can compel a minister to divulge at "question time," or upon evidence submitted to them by their constituents. Even on those rare occasions when investigating committees are still appointed, they may in no sense be considered as a check upon the executive, for the Prime Minister is always able to control their membership.

As a matter of fact, the British Parliament's inability under modern conditions to perform satisfactorily its function as "the grand inquest of the nation" has become a matter of concern to many observers. The tendency of the Cabinet to treat "every serious criticism of the work of the Departments as an attack upon itself, to be resisted with the whole strength of its majority,"<sup>4</sup> has caused parliamentary discussions to become stereotyped debates between opposing armies under rigid party discipline rather than informative and critical analyses of present-day conditions. Moreover, the Cabinet controls the time of the House, and "the pressure of government business" has made it increasingly difficult for the individual member to air his grievances. Parliament's standing committees lack specialized competence and are wholly dominated by the Cabinet; hence, even if there were

<sup>3</sup> Woodrow Wilson, *Congressional Government* (15th ed., Boston and New York, 1925), 271-78; Lindsay Rogers, *The American Senate* (New York, 1926), 196-200.

<sup>4</sup> Ramsay Muir, *How Britain Is Governed* (4th ed., Boston and New York, 1940), 197-98.

more time for discussion, it is difficult to see how the average member could become well enough informed to participate intelligently in the discussion.

The result is that individual members of Parliament are not able to get the facts and tend to accept the judgment of the party leaders. The logical conclusion is that as legislation becomes more technical and complicated, members of Parliament are becoming more poorly informed. Even more serious is the possible effect on the electorate. The primary purpose of Parliament is discussion, and, according to democratic theory, discussion is supposed to have an educational influence on the electorate. If discussion is meaningless, uninformed, and does not center around real issues, the electorate can not be expected to exercise an intelligent choice. Moreover, Parliament would lose prestige; and the executive, rather than the representative assembly, would become the object of admiration and respect.

It is frequently pointed out that the functions performed by Congressional committees are to some extent fulfilled by royal commissions in England. The presumption is therefore made that commissions appointed by the executive would more satisfactorily perform the same functions in this country. As a matter of fact, such inquiries frequently do serve a useful purpose, and there has been a steady increase in their number in the last twenty years. If, however, hearings before Congressional committees and legislative investigations were given over completely to the executive, Congress would lose much of the power it now has to modify and create the legislative product in accordance with the different sectional and group interests of the country. Under the American system of government the Congress is *supposed* to legislate and determine the legislative product. It is true that the executive offers leadership, but it is not the same kind of leadership as in a parliamentary form of government. In England the Cabinet legislates with the consent of parliament; in the United States, as in Switzerland, the executive is supposed to carry out the policies of the legislature.

No one can pretend that committee investigations in the United States are free from biased questions and conclusions by those who participate in them. As a matter of fact, it is the fireworks that they create which stimulate public interest and encourage public discussion. On the other hand, the miles and miles of testimony taken down each year present a large number of important facts about government which would, for the most part, be generally inaccessible. Although few people ever read this testimony, a great deal of information, otherwise unavailable, is made known; and material becomes available to scholars for intelligent studies in all sorts of fields. Thus we are indebted to the Black Committee, the Temporary National Economic Committee, the Buchanan Committee, and

other investigations for much that we know about pressure groups and pressure group activity in the United States. Without these and many other investigations the difficulties of creating and maintaining an intelligent public opinion to operate an ever-increasing governmental machine would be greater even than they are at the present time.

The advantages of the English cabinet system over the American presidential system have frequently been pointed out. However, the major problem of government today is how to maintain an effective control over the administrative machine. As the affairs of government become more technical and complicated and the size of government increases, the problem of democratic control of the administration becomes more pressing and its responsiveness to public opinion more difficult to achieve. It may be that the American system, with all of its faults, will prove to be better suited for the problems of our age. In any case, it would appear that legislative investigations are an indispensable part of the presidential system, at least as it functions in the United States; and any curtailment of them or lessening of their effectiveness would bring about profound changes in the American system of government.

#### *Information from the Executive*

A British device often advocated for adoption in the United States is the question period. Four times a week ministers devote almost an hour to answering questions which have been put to them, in writing and in advance, by any member of the House. Those questions which are not answered orally are answered in writing; and both oral and written answers are printed in the *Parliamentary Debates*. Each questioner has the right to ask a single unwritten supplementary question, and although no formal debate follows the questions, sharp debate lasting from seconds to one minute may burst out on any matter of importance.

The judgment of most observers is that the question period as it operates in Britain is a useful and effective device for supervising and controlling the administration. It helps keep the Cabinet alert to matters under its jurisdiction; it gives rank-and-file members of Parliament information about the government which they might otherwise have difficulty in getting; and it gives publicity both to the information and to the issues which the questions involve. Even as the system operates in the House of Commons, however, it does not permit the unrestricted and detailed questioning often necessary to bring out significant facts. Most administrative acts are not the direct acts of the heads of the executive departments but of their subordinate officers; hence the minister is frequently able to do little more than give at second hand a general explanation of the action taken. In other words, the minister is the sole channel of communication between the

House and the department, and what he "cannot tell Parliament or the country, after proper coaching, about the policies of the department must remain untold."<sup>5</sup> Moreover, the actual contest is on unequal terms; for the individual member of Parliament is likely to lack both the information and experience to cross swords successfully with a minister who has been properly coached by his expert staff. Since the civil servant never comes into direct contact with Parliament and since he remains anonymous and the minister assumes "responsibility" for all his actions, he is able to hide behind the cloak of the minister and the Parliament is never able to learn of his actions.

This proposal to adopt the question period, as well as the suggestion that members of the president's cabinet be given seats in Congress with the right to participate in debate but not to vote, fails to take cognizance of the fact that much of the work of legislation has moved from the floor of Congress to the committee rooms. This is because legislation has become so technical and complicated that individual members of Congress cannot understand the details involved without extensive hearings and the work of experts attached to the various specialized committees. As a matter of fact, members of the administration do regularly appear before Congressional committees and play an important role in determining the legislative product. It is unlikely, then, that Congress would be better informed or that the effectiveness of cabinet officers would be increased by their appearance before the two houses of Congress. For the seat of power is in the committee rooms and the administration viewpoint is already actively presented there. As Professor Walton Hamilton told the Joint Committee on the Organization of Congress: "We have a device here which is vastly superior to that, and that is the appearance of the administrative officer before the congressional committee where the matter is a great deal more informal and the questioning is a great deal more searching than it could ever be before the House."<sup>6</sup>

There is also the possibility that the question period would worsen rather than improve legislative-executive relations. Cabinet officers would still be responsible to the president and could remain in office regardless of Congressional opinion. In Britain the Cabinet is composed of men who are also members of Parliament and who owe their positions to acceptance

<sup>5</sup> Price, "The Parliamentary and Presidential Systems," 326-27; W. F. Willoughby, *Principles of Legislative Organization and Administration* (Washington, 1934), 190-94. The answers to questions are prepared by the civil service, and the ministers' close official advisers attend the House of Commons in an official "box" behind the Speaker's chair outside the bar but close enough to advise a minister at his whispered entreaty.

<sup>6</sup> *Hearings before the Joint Committee on the Organization of Congress*, 79th Cong., 1st sess. (1945), 705.

by the House of Commons. Moreover, a statement in the House of Commons by a member of the Cabinet is a commitment. But in the United States the president cannot be interrogated and no member of his cabinet could commit him to a particular course. The result is that "question time" in the United States might provide a field day for the opposition to lampoon the administration without producing any worthwhile advantages and that the net effect might be to impair rather than improve legislative-executive relations.

Although it is generally recognized that the difficulties of modern law-making are colossal and that the "knowledge required for the simplest statute is complex and special,"<sup>7</sup> there is sometimes a tendency to feel that the employment of experts by both the president and Congress is an unnecessary duplication of effort. For example, Herman Finer, commenting on the Legislative Reference Service in the Library of Congress, points out that no democratic government in Europe has established similar arrangements. He calls particular attention to the "atmosphere of political aloofness and objectivity and impartial service" it is believed should be rendered by the Legislative Reference Service in the preparation of basic data studies on controversial questions. He says that this attitude is similar to that in which it is "customary to describe the 'brains-trust' function of the highest branch of the British civil service" and that "the need which in the United States is supplied by the Legislative Reference Division is in Britain supplied by the combined efforts of the political parties' research organizations, the government, and the civil service." His conclusion is this: "Since this service is not directly provided by the United States executive to the Congress, it must be sought elsewhere. If the institution does not exist, the need for it does, as in Britain, and the method sought is characteristically American."<sup>8</sup> Actually a great deal of information is made directly available by the executive branch; and a great deal of time is spent by our civil servants in running down facts in answer to requests from congressmen. Professor Finer should have emphasized that in Britain the knowledge of technical experts is available to the House of Commons only through the ministers, and it may be presumed that the minister will try to avoid saying anything politically damaging to himself or to his party. The United States Congress insists on seeing facts through its own eyes because its functions are necessarily different from those of the British Parliament. The American Congress is *supposed* to legislate as well as discuss.

<sup>7</sup> Herman Finer, *The Theory and Practice of Modern Government* (rev. ed., New York, 1949), 445.

<sup>8</sup> *Ibid.*, 456-57.

*Congress and Executive Leadership*

In Congress, power is widely diffused and there is little internal leadership on a continuous or systematic basis. The individual senator or representative reflects the interests of the state or district that has elected him. The result is that it is difficult for members of Congress to think nationally instead of in terms of state and local, or sectional, concerns. The president, however, represents a larger constituency and is better able to play an important role in the formation of national policy and provide unified leadership in the development of a legislative program. Hence it frequently happens that the executive and the legislature are in conflict over policy; for the president and Congress are elected by different groupings of voters and the forces represented by individual members of Congress do not add up to the forces represented by the chief executive.

The president in disputes with Congress has been credited with more frequently representing public opinion as a whole, but there have been many notable instances when this was not the case. The United States has a fixed executive, and the president is normally in office for at least four years whether Congress or the people agree with him or not. The Constitution decrees a separation between the two branches of the government, but its writers expected co-operation. The theory of the Founding Fathers undoubtedly was that if policies are sound they will find acceptance in both branches of the government. The executive has the superior knowledge and wisdom which come from daily contact with governmental affairs and has also the use of experts in all the agencies of government; but it is the duty of the experts to convince the average man that their policies are sound, and it is presumed that to some extent the members of Congress are the average man, or, in any case, that they represent him. It is in this way that government is to be kept popular and responsive to public opinion.

Legislative-executive relations have deteriorated because the view has grown that Congress is not to be trusted, that the administration should explain no more than is absolutely essential in order to secure Congressional approval, and that pressure of various kinds must be exerted to compel the passage of legislation. Every congressman considers himself a dignified individual and resents the attitude of superiority taken by some administrative "experts." He also resents the sly phrases which imply that members of Congress are not to be trusted, that they spoil rather than improve well-thought-out programs, and that they are the agents of the various pressure groups.

The president as well as Congress is sensitive to pressure, for both are elected; and it could be shown that administration measures as well as "pet projects" of individual congressmen are designed to satisfy the demands

of special interest groups. Although it is undoubtedly true that the whole question of how to bridge the gulf and assure "co-operation" is one which is more pressing today than heretofore, we do not advance the cause very much by analyzing the situation in terms of "competition for power" and drawing analogies with the parliamentary system. A greater degree of co-operation than has thus far been tried to meet "the problem" posed by the separation of powers is possible.<sup>9</sup> And it may be that a more satisfactory relationship between the legislature and the executive could evolve if we were not handicapped by constantly thinking in terms of the English parliamentary system.

### *The Party System*

Although it is generally recognized that those who seek to reform the governmental structure are attempting the impossible, it has been suggested that what is needed is the reconstitution and reconstruction of party government along British lines. However, since a party system is directed towards control of the government, it will closely resemble the government's pattern; and if the government is divided federally and functionally, the effort to control it will be similarly dispersed. Moreover, there is considerable evidence to indicate that the American people do not want unified, disciplined, and responsible parties and that they are better satisfied with the present system.

The president cannot hope to secure the adoption of his entire legislative program because he and members of Congress represent different constituencies. Since members of Congress wish to stay in office, they generally vote in terms of the interests and sentiments of their districts rather than in support of the party leader. The result is that presidential policies are compromised and modified in terms of local and sectional interests and sentiment. On the other hand, it ought not to be supposed that a member of Congress is completely autonomous and that he gives no thought to the party and its program. But, as Professor Julius Turner has pointed out, "Only a Democrat who rejects at least a part of the Fair Deal can carry Kansas, and only a Republican who moderates the Republican platform can carry Massachusetts."<sup>10</sup> Efforts to increase party discipline are likely to reduce competition between the parties and increase the number of one-party constituencies if they do not produce a multi-party system organized along

<sup>9</sup> A good illustration of the lack of such co-operation may be found in President Truman's statement that he would decide whether to enforce the Taft-Hartley Act in the steel dispute and that he would not pay the slightest attention to a resolution of Congress asking him to use it. See the *New York Times*, June 20, 1952.

<sup>10</sup> Turner, "Responsible Parties: A Dissent from the Floor," 151. Professor Turner contends that there is in fact a greater degree of party voting in Congress than is commonly supposed.

regional lines. If local parties and candidates cannot be insurgent and if they cannot express the basic desires of their constituencies, then these local parties can have no hope of success and are doomed to defeat.

It is sometimes contended that the president has a mandate from the voters and that the failure of Congress to enact his entire program is an obstruction to majority rule. There are, however, many issues presented in a presidential campaign; hence there is good reason to doubt whether all parts of a president's program actually received majority support. Presidential candidates and the planners of political platforms direct their appeals to the voters in the large marginal states because of the importance of these states in the electoral college, but the views of these voters may not agree with those held in the rest of the country. It frequently happens, therefore, that members of Congress furnish a better index of public opinion than the president.

Our party system conforms to the basic characteristics of American life and is merely a reflection of basic attitudes. The adoption of political gadgets or a change in party rules will not automatically abolish underlying differences; and it will not destroy the localism and sectionalism upon which our present system is founded. As a matter of fact, present arrangements fit nicely the individualistic culture, the range and variety of American geography and economic interests, and the loose social and political structure of American society. Moreover, the state and local machines and organized interest groups, which now hold a tight grip on the local organizations, would resist centralized control, and their entrenched position at the local level would make it almost impossible to build a national machine.

### *The Parliamentary System and Young Democracies*

In spite of the fact that the parliamentary system is frequently represented as more sophisticated than the presidential system, it is nevertheless contended that it is better suited for young democracies. For example, Professor C. F. Strong has recently written:

The problem for such new states, therefore, is to find the most stable form of government, consistently with the security of popular rights, during the period necessary for experience to be gained. And it is probable that this stability is to be secured more certainly through the device of the parliamentary executive than through that of the non-parliamentary. For a parliamentary system imposes a check upon the executive at one remove from the politically ill-educated mass. The representative House, which supplies the check on the executive in this case, meanwhile gains experience by the constant exercise of parliamentary functions. And when at length the parliamentary electorate has settled down to a proper working of elections, it will probably be in a better position to destroy a corrupt house of deputies, conniving at an inefficient executive, than

it would be, after the same lapse of time, to prevent the practice of tyranny by an executive free from control over the period for which it is elected.<sup>11</sup>

The presidential system has been universally avoided on the continent of Europe, except for the ill-fated French Constitution of 1848, because it was feared that so powerful an executive might easily become dictatorial under European conditions. However, both Mussolini and Hitler demonstrated how easily a parliamentary executive can be perverted to a dictatorship. In both Italy and Germany parliamentary government had become identified with instability and impotence; tyrants did not arise until after parliamentarism had failed.

A cabinet system presupposes an established and well-defined party system. Where it has this, as in Britain, it works well; but when it is lacking, as in France, where there is a loosely organized multi-party system, the composition of the executive is always changing. The threat of a French cabinet to resign if its measures are not adopted holds no terror for members of the Assembly. In fact, it can almost be said that a ministry is in office long enough to permit deputies who were excluded to jockey for position. Under these circumstances it is possible that a government which is representative but which has a stable executive in office for a fixed term of years would be more suitable to French conditions. The "all or nothing" dogma of the parliamentary system means that deputies must support the ministry on every major issue or throw the country into confusion while a new premier is being chosen and the protracted negotiations are being carried on to determine the membership of a new cabinet. Under the presidential system the executive offers leadership and formulates proposals, but individual members of Congress are free to use their own judgment.

The principal achievement of the American system has been the creation of a government strong enough to govern, which at the same time has been kept responsive to public opinion in a country with a large number of sectional and economic interests. In Britain, where a high degree of homogeneity and a much smaller area exist, the same result has been achieved; but on the continent of Europe the results have not been nearly so satisfactory. It may be that the presidential system is better suited to conditions on the continent of Europe, although one should hasten to add that the material conditions necessary for the successful operation of either system are probably lacking in some of these countries.

Institutions can not be transplanted from one country to another without undergoing changes which are, for the most part, unforeseen by those who make the change. This is true partly because conditions can never be duplicated and also because we are never able to know entirely all of the

<sup>11</sup> C. F. Strong, *Modern Political Constitutions* (3rd ed., London, 1950), 253.

unconscious assumptions upon which a system is based. It would appear, therefore, that institutions can be studied only in terms of the society in which they operate, that every institutional system must be studied as a whole, and that a partial change may bring unexpected consequences.

### *Conclusion*

The crises that have occurred in the relations between the president and Congress are symptoms of much deeper differences which reach back into the uncertainties of the community itself. A defiant president determined to put through a definite party program cannot resolve these differences. The art of government requires an integrated policy which will join different elements in compromise and will bring a unified response, and this cannot be done without the co-operation of Congress. A successful president will act as a symbol of national unity and as a moderator of group interests.<sup>12</sup>

The concentration of authority is essential but its concentration in the wrong person is disastrous. This may be one consequence of a parliamentary system. It is also a danger under our method of electing a president for a fixed term; hence there must be an effective check on the exercise of his authority. Our system is highly sensitive to public opinion because our representatives must live or die politically according to their capacity to satisfy the voters. Biennial congressional elections quickly bring discontents out into the open, and the separation of power between Congress and the president makes stalemate the constant threat of disagreement. Thus there is a persistent impetus to find some workable compromise without riding roughshod over minority rights and interests.

Much has been said about the "enforced" separation of power in the American system, and it has been contended that because the legislature and the executive are "independent" that there is little co-operation between them. It would be hard, however, to show that the union of executive and legislature in France has produced any more co-operation than we have in the United States. As a matter of fact, there is a great deal more co-operation between the president and Congress than is commonly supposed. For example, the power of the Senate to confirm appointments results in a constant flow into key political posts in the administration of men who have in some measure the confidence of the legislative branch.

<sup>12</sup> Professor Pendleton Herring questions the wisdom of making the president more responsible than he now is. If the president were held to a closer accountability, he would inevitably become laden with an accumulation of grievances; but such a situation is not compatible with an official elected for a fixed term of years. Hence "the New Deal has had a notable procession of scapegoats who have retreated from office under a weight of popular disapproval" and our presidential system reveals a "tendency to shield the chief executive and hence to divest the presidential office of an overwhelming weight of responsibility."—*Presidential Leadership* (New York, 1940), 114–15.

The White House appointment-list shows that consultations between the president and members of Congress are common practice. In many committees of Congress the practice has grown up of referring most or all relevant bills to the appropriate departments for comment prior to action, and the possibility of a presidential veto has brought consultation and compromise prior to passage that have forestalled the veto.

Many of the proposals designed to improve legislative-executive relations may have something to offer if they are properly adapted to the peculiar conditions of government in the United States. But the British system, developed for a small country with a relatively homogeneous population, provides no adequate means for injecting into legislation the sentiments of diverse areas with highly diverse needs, for the executive works out legislation for the nation as a whole in terms of its own conceptions of national needs, and that legislation is enacted largely in the form in which the cabinet presents it for consideration. Such a system does not fit the conditions of American society. The establishment of majority policy committees in the two houses of Congress to meet regularly with the president, as recommended by the Joint Committee on the Organization of Congress, might help "to facilitate the formulation and carrying out of national policy, and to improve relationships between the executive and legislative branches of the government."<sup>13</sup>

Basically the problem is not one of institutions. It is instead a question of temper and good sense. When there is not a meeting of minds, it cannot be forced by changing the institutional system. Members of Congress, as well as the president, must look after their constituencies. The president, therefore, must seek the support of a different combination in Congress and in the country for each of his proposals; but groups that oppose the administration on one issue for local or special reasons need not oppose it on the next. A parliamentary executive, by tending to command the same majority on all issues, tends to keep the opposition always against it. "If that minority is concentrated in national or regional or social groups that appeal strongly enough to the loyalty of their members, such opposition is apt to become uncompromising and irreconcilable."<sup>14</sup>

The American presidential system has provided stable government when similar conditions in a parliamentary regime have produced a weak government. Its record of political achievement is much better than the dim view taken by critics indicates and its capacity for action has been underestimated. When the need was clear and the public was convinced of the need, Congress has demonstrated that it could act and, in spite of partisan rivalries, has responded quickly to emergency conditions. The system guar-

<sup>13</sup> *Organization of the Congress*, Senate Report No. 1011, 79th Cong., 2d sess. (1946), 13.

<sup>14</sup> Price, "The Parliamentary and Presidential Systems," 329.

antees a spirit of tolerance and compromise which is essential to democracy, for no one group or point of view can ride roughshod over others. The result has been that we have been able to make progress without a division of the nation along class lines.

The burden of proof lies with those who wish to change the present system. American institutions, like those of other countries, are in need of improvement; but it ought not to be forgotten that the present system has been molded and shaped by our own environment and that it fits the peculiar needs of American society. Proposals for change should come from practical and intensive studies of American practice and not from a superficial study of foreign systems.

# Health Conditions in San Antonio, Texas, 1900-1947

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CHRONICLERS and bards have disgorged a veritable avalanche of books, stories, and songs about the city of San Antonio, Texas, but despite the abundance of literary energies devoted to romanticizing the city, little serious attention has ever been centered upon the mundane existence of her residents. Although medical scientists have taken occasional notice of the community, no attempt has been made to assemble the available public health data. This article presumes to contribute toward that end.

One outstanding characteristic of the community at the turn of the century was its extremely low birth rate. In 1900, for example, 9.28 births per 1,000 population were reported; only 4 cities out of 117 with a population over 30,000 had a lower rate.<sup>1</sup> At that time, however, most deliveries were attended by unlicensed midwives who kept no birth records, so undoubtedly many of the births in the city were not reported.

Even in recent years midwives officiated at a large number of births. As late as 1930 they delivered 30 per cent of the recorded births in the city and in 1948, 26 per cent.<sup>2</sup> But progress was made toward getting a more complete registration of newborn San Antonians. In 1933, Texas was finally included in the Census Bureau's registration area—the last state to be admitted.<sup>3</sup> Several years later midwives in San Antonio were licensed and their activities were controlled sufficiently to insure rather complete compliance with birth certification laws.<sup>4</sup> Immediately thereafter annual birth rates soared, and by the end of the decade the city's rate, 25.1, was the highest in the nation.<sup>5</sup>

<sup>1</sup> United States Department of Labor Bulletin, *Statistics of Cities*, VI, No. 36 (September, 1901), 848-49.

<sup>2</sup> Files of the San Antonio Health Department.

<sup>3</sup> States were included in the registration area when 90 per cent of all births that occurred in the state were certified.

<sup>4</sup> According to Mrs. Adelaide Gill, Health Department statistician in a personal interview, October, 1950.

<sup>5</sup> United States Census, 1940, *Vital Statistics Rates in the United States, 1900-1940*, 796-822. Unless otherwise indicated, only cities above 100,000 population are included in this and subsequent comparisons.

Although accurate birth records are a relatively recent innovation, a reasonably precise tabulation of deaths has been maintained for over fifty years. Bureau of Census records since 1900 disclose a successive decline in the San Antonio death rate. The greatest drop occurred in the second decade of the century. In subsequent years the reduction continued at a slower pace. Nevertheless, San Antonio has had one of the highest death rates among the larger cities in the United States. In the early 1900's only three cities with 50,000 or more inhabitants recorded a higher rate.<sup>6</sup> At the end of the first decade of the century, Richmond, Virginia, was the only city with a death rate higher than that of San Antonio.<sup>7</sup> In 1920, seven cities, and ten years later, four out of ninety-three principal cities, registered higher death rates than did San Antonio,<sup>8</sup> and in 1940 Sacramento, California, and Tacoma, Washington, were the only major communities to report higher rates.<sup>9</sup>

The crude death rates compared above prove nothing as to the healthfulness of a particular locale. Neither do they depict the statistical probability of deaths among a community's inhabitants, for no account is taken of residents who died outside of the confines of the city nor of nonresidents who died within it. In addition, accidental deaths are reckoned in the total along with deaths from diseases and other causes. Hence it would be incorrect for the casual reader to leap to the conclusion that San Antonio was or is an unhealthful place in which to live.

City officials have always cautioned against putting too much faith in the crude rates. Many years ago the city health officer suggested that tourists and health seekers were responsible for the extremely high death rates in San Antonio. He observed: "Our morbidity and mortality statistics are burdened by a large number of people who come as health seekers, usually too late to be benefitted by our healthful and climatical conditions."<sup>10</sup> Even of the resident tuberculars it was said: "Quite a large percentage undoubtedly had come here already infected—and only because of the beneficial influences of our climate had their lives prolonged for a number of years."<sup>11</sup>

In order to reassure potential visitors to the city, the Health Department's *Annual Report* for 1906 deducted from the total deaths in the city the deaths of nonresident tuberculars and of Mexican and Negro infants. This action was performed because, for those who come to San Antonio for

<sup>6</sup> United States Bureau of Census, *Mortality Statistics, 1900 to 1904*, lxx-lxxvii. The three cities were Savannah, Georgia; Richmond, Virginia, and Charleston, South Carolina.

<sup>7</sup> United States Bureau of Census, *Mortality Rates, 1910-1920*, 142-66.

<sup>8</sup> *Ibid.*; also *Mortality Statistics*, 1930, p. 8.

<sup>9</sup> *Vital Statistics Rates in the United States, 1900-1940*, 796-822.

<sup>10</sup> Health Department of the City of San Antonio, *Annual Report*, 1906, p. 7.

<sup>11</sup> *Ibid.*

its healthful and beautiful climate and natural attractions, "only the mortality of the better class of white people come[s] into consideration."<sup>12</sup> After all calculations were completed, a death rate of 10.71 rather than the official rate of 19.01 was found to be a "more accurate" rate. "The claim of San Antonio to be one of the healthiest cities in the country is therefore justly maintained."<sup>13</sup>

Be that as it may, some diseases are endogenous to the city. No one has yet suggested that tourists and health seekers were responsible for the toll which childhood diseases exacted among the inhabitants—diseases which in 1940 killed ten out of every hundred infants under one year of age. In that year San Antonio's infant mortality rate, considered by some authorities to be "an index of the plane of living or the cultural level of society,"<sup>14</sup> was the highest in the nation.<sup>15</sup>

The most frequent causes of infant deaths were diarrhea and enteritis, ascribable primarily to unsanitary living conditions, poor diet, and lack of education.<sup>16</sup> Since 1900, San Antonio's diarrhea and enteritis death rate has been one of the highest among the larger cities of the country. In that year, three, and ten years later only two, communities had higher rates than did San Antonio.<sup>17</sup> At the end of the next decade San Antonio had the highest rate in the entire United States.<sup>18</sup> During the following ten years rapid strides were made to remove the causes for these preventable diseases. Although the city's rate was cut almost in half, in 1930 only one other urban community, El Paso, Texas, reported a higher rate than did San Antonio. The San Antonio figure was nearly double that of the third ranking city.<sup>19</sup>

An important cause of diarrhea is the abundant growth of bacteria, especially those from open sewage, which infect the water, milk, and food of infants. It might be expected that open sewage would be a rarity in days of modern plumbing, but in 1935 a United States Public Health officer surveyed 24,000 of the 43,000 dwellings in San Antonio and discovered that more than 6,000 had surface privies. He observed also that the city's sewage disposal plant was overloaded. Especially during heavy rainfalls, raw sewage bypassed the treatment process and was diverted into what is euphemistically known as Lake Mitchell.<sup>20</sup>

<sup>12</sup> *Ibid.*, 8.

<sup>13</sup> *Ibid.*

<sup>14</sup> *Vital Statistics Rates in the United States, 1900-1940*, 43.

<sup>15</sup> *Ibid.*, 796-822.

<sup>16</sup> American Public Welfare Association, *Public Welfare Survey of San Antonio, Texas*, 1940, p. 131.

<sup>17</sup> *Mortality Statistics, 1900 to 1904*, 1-11; also *Mortality Rates, 1910-1920*, 258-94.

<sup>18</sup> *Mortality Rates, 1910-1920*, 114.

<sup>19</sup> *Mortality Statistics, 1930*, p. 40.

<sup>20</sup> United States Public Health Service, *Survey of Health Service, City of San Antonio, Texas, 1935*, abstract, p. 4.

An additional source of infection was the water supply. Although most of the city is now served with highly potable artesian well water piped through a modern distribution system, many sections, inhabited primarily by Mexicans, as late as 1946 still lacked the convenience of running water. Some residents satisfied their thirst from the nearest irrigation ditch or from other sources contaminated by open privies nearby. Others carried their water by the bucket or barrel and stored it unprotected from flies and other filth.<sup>21</sup> It is probably not mere coincidence that in 1940 infant diarrhea deaths among Mexicans totaled 220 compared with 15 diarrhea deaths reported for "other white" infants; nor is it accidental that from 1941 to 1945, 29 per cent of all Mexican deaths occurred among children under one year of age, contrasted with corresponding ratios of 9 and 10 per cent for "other white" and Negro races, respectively.<sup>22</sup>

Referring to the high incidence of illness and death in San Antonio, authorities of Santa Rosa Clinic asserted: "Practically 100 per cent of the patients . . . are suffering from the diseases of poverty. The vast majority of infants and children treated are markedly anemic and undernourished."<sup>23</sup>

A contrary view was expressed in a nationally circulated periodical: "San Antonians are proud . . . of the relative well-being and comfort of all the city's people, the humble as well as the most affluent. There are no slums in San Antonio. Some riches and some poverty, as everywhere. But the riches are almost never flamboyant; the poverty almost never desperate."<sup>24</sup>

Second only to infant diarrhea, pneumonia has had the most deadly effect on San Antonio youngsters. It generally resulted as a fatal complication following whooping cough and measles or was an outgrowth of exposure—a lack of fuel and clothing sufficient to withstand the winter season.<sup>25</sup> The seriousness of pulmonary disorders was demonstrated in 1930 when an influenza and pneumonia rate of 177.5 per 100,000 inhabitants was recorded for the city. Only three out of ninety-three large cities in the United States reported a higher rate.<sup>26</sup>

As devastatingly lethal as pneumonia and infant diarrhea have been, they were and are subordinate to tuberculosis, San Antonio's greatest health problem. In the latter part of the nineteenth century, when the city achieved some recognition as a haven for consumptives, transient deaths distorted

<sup>21</sup> Pauline R. Kibbe, *Latin Americans in Texas* (Albuquerque, University of New Mexico Press, 1946), 131-33.

<sup>22</sup> Files of the San Antonio Health Department. For more complete understanding of the significance of certain data, the reader should bear in mind that the white "race" is segmented into "Mexicans" and "other whites."

<sup>23</sup> Quoted in *Public Welfare Survey*, 87.

<sup>24</sup> J. Frank Davis, "San Antonio," *Ladies Home Journal*, XLVIII (May, 1931), 99.

<sup>25</sup> *Public Welfare Survey*, 131.

<sup>26</sup> *Mortality Statistics*, 1930, pp. 24-25.

the true picture. For several decades, however, long after climato-therapy had been discarded by medical authorities, the tuberculosis death rate in San Antonio continued at inordinately high levels.

Early in the century almost one-fourth of all deaths in San Antonio were attributable to pulmonary tuberculosis; no other community among the 135 with more than 30,000 inhabitants had so great a proportion of deaths from tuberculosis.<sup>27</sup> At the end of the second decade Denver replaced San Antonio by a narrow margin as the country's tuberculosis death center,<sup>28</sup> and in 1930 El Paso merited that distinction,<sup>29</sup> but ten years later San Antonio regained the questionable honor.<sup>30</sup> Hence, although the tuberculosis death rate in San Antonio has decreased perceptibly since 1900, the city has compared unfavorably with other urban communities. Only one other city, Chattanooga, Tennessee, registered a rate of 100.0 or above in 1940, while fully half of the cities reported rates below 50.0, contrasted with a figure of 151.7 for San Antonio.<sup>31</sup>

Further insight may be gained by observing the racial distribution of tuberculosis deaths. A United States Public Health survey in the late 1930's revealed a tuberculosis death rate among Mexicans of 302.7 and among Negroes, 135.7. The "other white" rate was 52.8. Noteworthy also is the fact that Wards 1, 2, and 3, the areas with the highest percentage of Mexican residents, were the sections where the death rate for "other whites" was the greatest.<sup>32</sup>

San Antonians were more or less cognizant of their unenviable tuberculosis death rate but prior to 1942 no attempt was made to measure the precise extent of the disease. In that year the United States Public Health Service was requested to conduct a mass X-ray survey in the city. It was expected that the citizens of San Antonio would be stimulated to constructive action if they knew the actual number of individuals who were suffering from tuberculosis and thus jeopardizing the health of the other residents.<sup>33</sup>

Over 20,000 residents, 90 per cent of them Mexicans, received chest X rays. Almost 1,000 persons (5 per cent of those X-rayed) were found

<sup>27</sup> *Statistics of Cities*, VI, 858-65.

<sup>28</sup> *Mortality Rates, 1910-1920*, 258-94.

<sup>29</sup> *Mortality Statistics*, 1930, p. 30.

<sup>30</sup> *Like a Sore Thumb*, Bexar County Tuberculosis Association, pamphlet, 1945, no pagination.

<sup>31</sup> *Ibid.*

<sup>32</sup> United States Public Health Service, *Public Health Survey of San Antonio, Texas*, mimeograph, undated (data collected August 3-11, 1939, and prepared by W. P. Dearing and J. R. Heller), Table I, 3-4. On file in San Antonio Public Library. The rates calculated were based upon the population enumeration of 1930. Since Mexicans were undercounted in that census, there may be minor errors in these ratios.

<sup>33</sup> United States Public Health Service, "Mass X-Ray Survey in San Antonio," *Public Health Reports*, LX, No. 5 (February, 1945), 117.

to have reinfection tuberculosis, whereas similar surveys in various other sections of the country indicated that approximately 1 per cent of the people in the entire United States were thus infected.<sup>84</sup>

The number of Mexicans examined comprised over 15 per cent of the estimated Mexican population and constituted a reasonably accurate representative sample. Applying the findings of the survey, health officers estimated that there were approximately 5,100 cases of reinfection tuberculosis among San Antonio's Mexicans, 1,700 of whom were believed to be active tuberculars.<sup>85</sup>

The recital of statistics may define the magnitude of the question, but it does not explain why there has been so much tuberculosis in San Antonio. An attempt to demonstrate the relationship between tuberculosis and low income was to be made at the time of the mass X-ray survey. A socio-economic study, previously conducted under the leadership of the Health Department's director of Public Health Nursing, was to be co-ordinated with the X-ray program.

A sample of 5 per cent of the city's Negroes, 15 per cent of the Mexicans, and 0.5 per cent of the "other whites" of low income status was selected.<sup>86</sup> Over 4,300 households, located in the most densely populated sections where the greatest degree of overcrowding and poverty appeared to exist, were visited. Interviewers questioned the inhabitants on seventy-eight different aspects of their existence, including education, health, income, housing, etc. All members of these households were requested to submit to the chest X ray. It was believed that in this manner complete data, covering more than 20,000 San Antonians of the poorer economic classes, would be secured and tabulated. The survey promised to be the most exhaustive ever conducted in San Antonio. Interested citizens anxiously awaited the results.

They are still waiting.

A preliminary report was issued, but the great mass of statistical material available from the survey was never utilized; and the thousands of schedules which might have contained the evidence of the relationship between tuberculosis and the low incomes of migrant workers have literally disappeared. Every authority in San Antonio to whom the writer spoke was professedly ignorant of the whereabouts of the missing records. What promised to be a monumental investigation of socio-economic conditions in the community turned out to be almost a complete waste of time. San Antonians

<sup>84</sup> *Ibid.*, 125-26.

<sup>85</sup> *Ibid.*, 122.

<sup>86</sup> T. N. Picnot, *Socio-Economic Status of Low Income Groups in San Antonio*, an address before the San Antonio Social Workers Association, 1943, mimeograph, 15. Copy on file in San Antonio Public Library.

knew little more about their problems than they did before the study was conducted.

No authority has ever explained why a complete report was never made public. The release of preliminary information was the only attempt to publicize the survey findings. But that report dealt only with income and living conditions and did not correlate these factors with the data on health which were collected at the same time. It concluded that the health of the Mexicans was "far below standard caused by very unfavorable housing and sanitary conditions plus nutritional defects and all due to low earning ability."<sup>37</sup> These were the only inferences drawn from the most comprehensive socio-economic survey ever attempted in the city of San Antonio.

Most explanations for the high tuberculosis rate in the city can be classified in general terms into the exogenous and the endogenous schools. The former group uses the cure-seeker argument which stems from the practice of climato-therapy that was in vogue many decades ago. Although in no sense of the word did the city ever become a mecca for health seekers, the widely advertised City of Sunshine did have an influx of wealthy and middle-class tuberculars.<sup>38</sup> During the reign of the exogenous group, one city health officer, after declaring that most of the tuberculosis deaths were among recent migrants to the city, reported: "The twenty-seven persons born in San Antonio, who died from consumption, most likely have been descendants of, or in close contact with the so affected strangers."<sup>39</sup> Somewhat paradoxically the same official observed that "climate has not near so much to do with the cure of tuberculosis as was formally (*sic*) believed."<sup>40</sup>

Although modern medical practice hospitalizes and treats tuberculosis in whatever section of the country it occurs, prominent laymen and even some doctors in San Antonio still subscribe to the notion that tuberculosis is imported because of the salubrious climate. Actually, the migration of tuberculous patients to San Antonio is negligible. Indeed, the opposite trend is observable. San Antonio has become a distribution center for tuberculosis, which is dispensed among the neighboring states and even as far as Michigan—carried by the hordes of migratory laborers.<sup>41</sup>

Vital statistics obtained by the United States Bureau of the Census in 1940 indicate that residents of San Antonio account for its high tuberculosis death rate. When the crude death rates are corrected for residency, it

<sup>37</sup> *Ibid.*, 19. The writer is indebted to Mrs. K. K. Baker, former director of Public Health Nursing, for supplying information about the survey.

<sup>38</sup> *Public Health Reports*, 123-24.

<sup>39</sup> Health Department, City of San Antonio, *Annual Report*, 1898, p. 20.

<sup>40</sup> *Ibid.*, 21.

<sup>41</sup> See Texas State Employment Service, *Origins and Problems of Texas Migratory Farm Labor* (Austin, 1940), 85-86; also Cary McWilliams, "Mexicans to Michigan," *Common Ground*, II (Autumn, 1941), 5-18.

is found that there were more residents of San Antonio who died elsewhere from tuberculosis than there were migrants from other cities and states who died in San Antonio. For example, in 1940 there were 312 deaths from pulmonary tuberculosis in San Antonio. When the number of deaths among nonresidents is subtracted and the number of San Antonians who died elsewhere from tuberculosis is added, the total is 321.<sup>42</sup> A similar conclusion results from correction of the 1949 figures.<sup>43</sup>

The corrected death rates lend credence to the arguments of the endogenous school. The tenor of their discussions varies, but there is slight variation in their conclusions: The fundamental cause of the great toll which tuberculosis takes among San Antonians is poverty.

In his book *A Century of Medicine in San Antonio*, Dr. Pat Nixon criticizes those who blame outsiders for the city's tuberculosis instead of recognizing that the fatalities are mainly from "that large unsewered, trans-San Pedro Creek district which includes over 90,000 Mexicans."<sup>44</sup>

The United States Public Health officer who conducted the public health survey in 1939 described the district. Blocks of row houses, composed of one to one and one-half room units, surrounded a small quadrangle in which was a toilet, often a surface privy spreading filth over sun-baked ground, and a single water faucet. These sanitary facilities served as many as twenty families and one hundred individuals. The dwelling units rented for about \$4.00 per month.<sup>45</sup>

The public health doctor in charge of the mass X-ray survey also found that tuberculosis among the Mexicans of San Antonio was attributable to their economic status:

These people have been exploited as a source of cheap labor; they harvest the crops, shell the pecans, wash the clothes, and dig the ditches. For this they receive barely enough to keep body and soul together.

The natural corollaries of such conditions are cheap, congested, ramshackle houses, narrow, unpaved streets, few toilets, few water faucets, and a minimum of electricity.

Diets are monotonous, high in starch, low in protein, and lacking in milk, meats, fruits, and vegetables. . . .

All these factors mean a low standard of living which undermines resistance and makes the Latin-American an easy mark for the tubercle bacillus. A vicious circle is established when the tuberculous Latin-American becomes poorer and

<sup>42</sup> *Public Health Reports*, 123-24.

<sup>43</sup> According to the files of the San Antonio Health Department. Figures compiled by the Health Department Statistician, Mrs. Adelaide Gill.

<sup>44</sup> Quoted in James Zeck, *Financial Aid and Case-Work Services to the Tuberculosis Patient and Family*, Reprint No. 2979, *Public Health Reports*, LXIV, No. 48, 4.

<sup>45</sup> *Public Health Survey*, 1939, p. 5.

sicker, spreading bacteria to his crowded family and numerous contacts and pyramiding the poverty and disease among his people.<sup>46</sup>

During the early years of World War II further evidence of the relationship between tuberculosis and low income was provided. In 1939 the tuberculosis death rate among Mexicans was 246; among "other whites," 55. Two years later the Mexican rate was down to 229 and the white rate was up to 62. By 1944 the death rate among Mexicans plummeted to 143 while the rate for whites fell to 46. Dr. R. G. McCorkle, tuberculosis specialist, explained the decline in economic terms. He gave almost all the credit to the civilian job-opportunities available at the military installations that surround San Antonio, where many Mexicans for the first time earned from \$125 to \$200 a month.<sup>47</sup>

Since tuberculosis is contagious, isolation is a fundamental requirement in its treatment. Yet at one time in recent years, of 332 Bexar County (San Antonio) families receiving charitable assistance because of tuberculosis, 199 families were living with two or more persons for each room in the house. Of these, 105 families had 3 or more persons per room and 65 of them had 4 or more.<sup>48</sup> Tuberculars treated at home are visited by public health nurses who attempt to carry out doctors' instructions regarding isolation, diet and rest. San Antonio, however, has never had more than one-fourth the number of public health nurses needed to perform these services in a manner consistent with standard public health practices.<sup>49</sup>

Hospitalization rather than home treatment of tuberculars is recommended by health officers. San Antonio specialists suggest that sanatorium isolation would eventually reduce tuberculosis deaths to a figure comparable to that of other communicable diseases. On the basis of 3 beds for each annual death, the minimum number needed to meet recommended hospitalization standards, Bexar County would have needed 1,200 hospital beds in 1944. Bexar had 139.<sup>50</sup>

The small proportion of the city's tuberculars who were hospitalized were usually sent to the sanatorium at Southton, a branch of the county Poor Farm established for the treatment of advanced tuberculosis. However, the United States Public Health officer who inspected the place in 1939 observed very little treatment going on there. Seventy patients were cared for under the management of a physician who also served as part-time county health officer and as doctor for one of the largest hotels in the city. According to the inspector:

<sup>46</sup> *Public Health Reports*, 123.

<sup>47</sup> Zeck, *Financial Aid and Case-Work Services*, 7.

<sup>48</sup> *Like a Sore Thumb*.

<sup>49</sup> Zeck, *Financial Aid and Case-Work Services*, 5.

<sup>50</sup> *Like a Sore Thumb*.

His services apparently consist in a great part of visiting the institution once a week and in passing on applications for admission. Nine employees serve this institution. There are no screens or other methods for even partially isolating an acutely ill or moribund patient from his fellows in adjacent beds, three feet away. Fumigation of linen with sulphur candles, long known to be inadvisable, is the only treatment given linen before laundering. There is no clinical record kept, no laboratory facilities of any sort, and not even temperatures are taken on the patients. The nurse naively described the situation to the writer by stating, "We make out an admission slip and a death certificate."<sup>51</sup>

In addition to infant diarrhea, pneumonia and tuberculosis, one other malady of significance, venereal disease, has left its imprint on San Antonio and on San Antonians.

The seriousness of syphilis and gonorrhea was recognized by the Texas Legislature many years ago when a so-called "model" venereal disease law was enacted. The law requires private physicians to report cases of venereal disease to city health officers, who are instructed to investigate contacts of infected individuals, to examine, and if necessary quarantine suspects. It also prohibits the issuance of certificates of freedom from venereal disease where such certificates are to be used for solicitation for sexual intercourse.<sup>52</sup>

None of these statutory provisions was strictly observed in San Antonio. The city Health Department violated one section of the act by issuing health cards to prostitutes. The cards indicated that the bearer had reported to the Health Department Clinic for examination. Possession of a health card presumably denoted freedom from venereal disease and was thus interpreted by the prostitutes' customers.<sup>53</sup> There was also failure to report all cases of venereal disease as required by the statute.

The first steps toward control of venereal disease were taken during World War I, reportedly at the request of General John Pershing, troop commander in the San Antonio area. The city Health Department provided examination and treatment for prostitutes and for any others who were infected. These services were continued until the depression of the thirties, at which time all nonessential municipal expenditures were pared; the VD clinic closed its doors.<sup>54</sup> At one stroke a venereal-disease service which had been rated by the American Public Health Association as 100 per cent adequate was swept away. By the same expert judge the city's control program was rated zero, although no other city in Texas was in such urgent need of diagnostic and therapeutic facilities.<sup>55</sup> The clinic was reopened in

<sup>51</sup> *Public Health Survey*, 1939, p. 15.

<sup>52</sup> *Revised Civil Statutes of Texas*, Art. 4445.

<sup>53</sup> *Public Health Survey*, 1939, p. 5.

<sup>54</sup> *Ibid.*, 3.

<sup>55</sup> *Survey of Health Service, City of San Antonio, Texas*, 1935, abstract, 3.

1935, five years after it had closed, and two years later a venereal disease clinic for the medically indigent was established at Robert B. Green County Hospital.

The Health Department center catered primarily to prostitutes. Weekly smears for the detection of gonorrhea were required and a serologic blood examination was mandatory every six months. Women found to be free of disease were issued health cards. Ostensibly the cards were used for identification purposes when two official investigators made their nightly inspection tours of the red-light district. Actually, many potential patrons may have assumed that the card-bearers were recommended for patronage by the Health Department.<sup>56</sup>

Between 1935 and 1939 more than sixteen hundred women, admittedly engaged in prostitution, registered at the clinic. Twenty-five to thirty new women, of whom 40 per cent were infected, appeared each month. Allowing for some nonregistrants, a United States Public Health officer estimated that two thousand commercial prostitutes worked in the houses and streets of San Antonio in 1939. Approximately a hundred houses of prostitution contained five hundred or more women; the remainder walked the streets or, it is alleged, were on call at the hotels.<sup>57</sup>

There was no definite, segregated district for the practice of prostitution, but the streets and sections were well known to most residents of the city and to many transients as well. One author noted: "The City of San Antonio has what is said to be the most dangerous and wide open, red-light district in the United States. Matamoros, the unpaved main street of the quarter, has a reputation of having more crimes of violence than any other street of its length."<sup>58</sup>

Statutory regulations determined the legal status of commercial prostitution but did not create the market. Economists prone to theorizing would doubtless explain the condition in terms of demand and supply. Fort Sam Houston and the various other Army and Air Corps installations in the vicinity contributed heavily to the demand for low-priced prostitutes. Undoubtedly poverty among San Antonio's lower economic classes induced many girls and young women to supply their services.<sup>59</sup>

The Army lent unofficial sanction to extra-curricular activities of military personnel by maintaining a "green-light station" in downtown San Antonio for prophylaxis of soldiers exposed to venereal disease.<sup>60</sup> Army regula-

<sup>56</sup> *Public Health Survey*, 1939, pp. 11-12.

<sup>57</sup> *Ibid.*

<sup>58</sup> "Disease and Politics in Your Food: The Case of San Antonio," *Focus*, April, 1938, p. 7.

<sup>59</sup> See Owen P. White, "Machine Made," *Collier's* (September 18, 1937), 32-35, for a description of the political machinations surrounding prostitution in San Antonio.

<sup>60</sup> *Public Health Survey*, 1939, p. 10.

tions contained a good bit of irony on this point. Soldiers who contracted venereal disease and who had not paid their respects at the green-light station lost all pay and allowances during the period of their incapacity; non-commissioned officers were usually stripped of their rank. But if a man became diseased in spite of his visit to the prophylactic station, his incapacity was deemed to be in "line of duty" and no military penalties accrued.<sup>61</sup>

The activities of the city Health Department merit brief attention. Outside investigators displayed little interest in its operations until 1925. In that year a representative of the American Public Health Association studied the various facets of public health service and awarded efficiency ratings on the basis of generally accepted standards. The Health Department was rated as follows:<sup>62</sup>

	Per Cent
Venereal disease control work . . . . .	100
Sanitary inspection service . . . . .	100
City water supply . . . . .	90
Sanitary control of food supplies . . . . .	86
Prenatal and maternity hygiene . . . . .	85
Health services in the schools . . . . .	55
Vital statistics . . . . .	45
Sanitary control of milk supplies . . . . .	43
Laboratory services . . . . .	35
Communicable disease control . . . . .	33
Preschool-child hygiene . . . . .	26
Popular health education . . . . .	20
Tuberculosis control . . . . .	19
Infant hygiene . . . . .	14
Sewerage . . . . .	12

Significantly, the city was most seriously deficient in the aspects of health that should have been of greatest concern in eradicating its deadliest ailments, tuberculosis and infant diarrhea.

Ten years later a more complete analysis of the Health Department was conducted by representatives of the United States Public Health Service. Its laboratory was found to approach efficiency in one field only—examination of milk samples. With regard to eight other public health problems, the laboratory was 99 per cent deficient on six counts, 96 per cent on

<sup>61</sup> *Army Regulation 35-1440*. Effective on April 25, 1945, *Army Regulation 40-210* specifically prohibited military commanders from disciplining personnel who contracted VD. They could be penalized for not reporting the presence of the disease, however. Thus now, for military purposes at least, venereal disease, no matter how or under what circumstances contracted, is classified as a "line of duty" ailment.

<sup>62</sup> *Survey of Health Service, 1935*, p. 9.

a seventh and 78 per cent on the eighth. The assignment of a lone technician to perform laboratory services was totally inadequate for the tasks.<sup>63</sup>

The vital statistics division was almost entirely ineffective. In 1934 only 224 cases of acute communicable diseases were reported by the city, while Bexar County, whose limits extend slightly beyond San Antonio's, recorded 1,552 cases. The city report did not even list measles, tuberculosis, venereal diseases, and others.<sup>64</sup>

Most of the divisions of the Health Department lacked sufficient personnel to perform their functions adequately. An overwhelming majority of the employees—fifty-seven—were classified as inspectors. It was not clear what their specific duties were, but the investigating doctor concluded that all fifty-seven inspectors could be replaced by twelve or fifteen properly trained people without impairing any vital services. The inspection force was overstaffed and undertrained. In addition, they were almost wholly independent of the city health officer, who had no voice in their selection. The secretary of the Department, accountable only to the mayor, was in complete charge. Even itemized budget expenditures were a private matter. Only the secretary and mayor knew the details and they refused to disclose them.<sup>65</sup>

The city health officer was absolved of all responsibility for political activities conducted within the Department. The blame was laid at the steps of the City Hall. Nevertheless, he took offense at the government report and claimed that many inaccuracies based on hearsay appeared in the findings.<sup>66</sup> In his next *Annual Report* he took the opportunity to commend both himself and the mayor:

I have received more cooperation . . . and have been given a freer hand in the conduct of the affairs of the department by Mayor C. K. Quin, than any other administration. This cooperation and his insistence that the San Antonio Health Department be the best of any City its size, is the motive for the splendid accomplishments reported . . . .

In protecting your health, and providing for your comfort, the Department of Health . . . leaves nothing to conjecture and omits no safeguard to assure you of comfort and safety . . . . The Department . . . is the most alert and efficient that may be found in any City.<sup>67</sup>

Other medical men in San Antonio expressed contrary views. Members of the city health board insisted that as doctors they were better qualified

<sup>63</sup> *Ibid.*, 8.

<sup>64</sup> *Ibid.*, 2.

<sup>65</sup> *Ibid.*, 10.

<sup>66</sup> *San Antonio Express*, October 29, 1935.

<sup>67</sup> Health Department, City of San Antonio, *Annual Report*, 1936, p. A.

than the Health Department secretary to judge the competence of Department employees. They demanded authority to hire and fire personnel. The mayor responded by dismissing the entire board.<sup>68</sup>

One of the ousted members of the board reportedly replied:

San Antonio has, and has had for a long time, a health administration that is a disgrace to the community because of one thing only, and that thing is politics. It is not properly organized, its personnel has not been selected because of experience or fitness, has not been trained, has not been supervised by men trained in public health work.

. . . politics has paralyzed the entire department. . . . We have far too many employees, and many of them are of no value to the health department, whatever use they may be to the politicians.

My final recommendation to the Mayor . . . is that he save himself trouble and future annoyance by abolishing the office of city health officer and board of health. This would be fair to the people. It would . . . remove the screen by which he has been hiding from the just wrath of an outraged public.<sup>69</sup>

A new board was appointed. The chairman announced that the city would soon adopt an ordinance requiring sterilization of dishes in public eating places.<sup>70</sup> The city health officer hailed the activities of his department in safeguarding the citizens of San Antonio from disease, contagion and epidemics. "It is more than a duty; to us it is a sacred assignment."<sup>71</sup> Soon after, the board chairman resigned, charging that the germ count in San Antonio's swimming pools was so high that "in many instances it would be safer to swim in sewers."<sup>72</sup> He said that the American Public Health Association set a maximum limit of safety for bacteria count at 200 organisms per one cubic centimeter of water. Actual bacteriological counts at the pools ranged from 579 at the San Pedro Pool to 7,466 at the East Side pool. Six of the eight city pools had counts of over 3,000.<sup>73</sup> The city parks commissioner refused to alter the methods used to disinfect the pools and declined to close them. "It's hot weather and people like to swim,"<sup>74</sup> he said.

Meanwhile, the county medical society refused to permit its members to serve on the health board as long as political domination continued.<sup>75</sup> The Chamber of Commerce entered the scene with an ultimatum to the Mayor

<sup>68</sup> *San Antonio Express*, September 13, 1936.

<sup>69</sup> *San Antonio Light*, July 15, 1936.

<sup>70</sup> *San Antonio Express*, November 28, 1936.

<sup>71</sup> Health Department, City of San Antonio, *Annual Report*, 1937, Foreword, no pagination.

<sup>72</sup> *San Antonio Light*, July 17, 1938.

<sup>73</sup> *Ibid.*

<sup>74</sup> *Ibid.*, July 19, 1938.

<sup>75</sup> *San Antonio Express*, April 16, 1937.

that if he did not clean up the Health Department, they would wash the city's dirt in public.<sup>76</sup> The Chamber's public health expert declared that a competent, efficient health department could have saved the lives of literally thousands of citizens who died from communicable diseases. He claimed that the ill repute of health conditions in the city kept both tourists and industry away and that the Mayor was to blame.<sup>77</sup>

Two reporters publicized the San Antonio story through nationally circulated media. The first appeared in *Collier's* magazine:

Generally a health department is designed to promote the public welfare. In San Antonio it is used as an agency through which collectors shake down that poor, miserable class of females who make their livings as members of the world's oldest profession.

In San Antonio many of these girls pay two dollars a week for health cards. This means, according to my information, not that the girls get health or even medical examinations but that the collectors get two dollars.

But that isn't all. Two dollars a week, you see, isn't enough for these girls to have to contribute to the luxurious upkeep of San Antonio's politicians; every so often each one of them is forced to plead guilty to a charge of vagrancy and pay a fine of around twenty dollars.<sup>78</sup>

Next the examination of food handlers was described. A city ordinance included these requirements:

All persons who work in any food products establishment, . . . hotel, rooming house or boarding house, pecan shelling plant, or other place designated by the City Health Physician must be in possession of a Health Card. To obtain this card such person must be examined by a physician who can and does certify such a person so examined to be free of any and all contagious, infectious or communicable disease.<sup>79</sup>

The city health officer emphasized that "particular attention is given to detecting tuberculosis and infectious stages of venereal diseases. Wasserman tests are made on applicants when in the opinion of the examining physician it is deemed necessary."<sup>80</sup>

Yet it was demonstrated that a four-plus syphilitic could obtain a health card from the San Antonio Health Department for fifty cents; the matter of examination was almost completely ignored. Investigators for *Focus* magazine sent a woman to the Department. She was granted a health card

<sup>76</sup> *Ibid.*, April 14, 1937.

<sup>77</sup> *San Antonio Express*, April 10, 1937.

<sup>78</sup> White, "Machine Made," 32.

<sup>79</sup> Health Department, City of San Antonio, *Annual Report*, 1936, p. K.

<sup>80</sup> *Annual Report*, 1938, p. 12.

after a perfunctory examination. "Within an hour of her visit to the Health Department, she was taken to an independent laboratory where she underwent a Wasserman test which was checked by two physicians. This confirmed blood test showed her to be suffering from a highly developed case of syphilis."<sup>81</sup> Soon after, the woman went to work in a pecan-shelling plant.

In spite of the adverse publicity, no change was apparent in Health Department procedures. More than one year later, food-handler examinations still consisted mainly of inspection of the throat and physical examination of the chest for tuberculosis.<sup>82</sup>

City officials did react to the two magazine articles, however. Libel actions were instituted against the authors, though not against the publishers. But one month after grand jury indictments were issued and the cases sent to County Court, the cases were dismissed on the written motions of the district attorney. The motions read:

To secure conviction of this charge, it would be necessary for the State to prove two things: First, that the defendant was the author of, or responsible for, the publication of the statements alleged in the indictment, and second, that such statements were false.

The State is in a position to prove the falsity of the statements. . . . However, the magazine is published in another State, and all persons having knowledge of the defendant's authorship or connection are beyond the jurisdiction of this court and cannot be secured as witnesses.

The State is then not in a position to make the technical proof required under the law.<sup>83</sup>

Political domination of the Health Department continued for several more years. Finally, in 1943, at the request of the new mayor, the San Antonio Chamber of Commerce proposed, and the city council adopted, an ordinance creating a board of health that would be conducted free from political interference. The ordinance provided that the board "shall be nominated by the Chamber of Commerce . . . and appointed by the Mayor."<sup>84</sup>

It is not clear to this writer how the ordinance as passed could ensure that any changes would be made in the conduct of the Health Department. The Department is placed under the mayor by the city charter. The Chamber of Commerce has no legal status whatever insofar as the city government is concerned. Hence it would appear that even though the ordinance

<sup>81</sup> "Disease and Politics in Your Food," 3-4.

<sup>82</sup> *Public Health Survey*, 1939, p. 7.

<sup>83</sup> *San Antonio Express*, March 24, 1938.

<sup>84</sup> Health Department, City of San Antonio, *Public Health*, 1946-47, p. 4.

requires that health-board members "shall be nominated" by the Chamber, the mayor is not obligated to follow such nominations and can appoint anyone he wishes, subject, of course, to confirmation by the City Council. Apparently the ordinance was enacted to demonstrate to the residents of the community that the politicians were interested in co-operating with civic groups.

Nevertheless, health conditions did improve, though San Antonio still lacked many facilities for the elimination of its principal ills. In 1947 the city health officer indicated some of the unfulfilled requisites to better health. There were no adequate means for the isolation of cases of diphtheria, typhoid, and other major communicable diseases, particularly of adult infectious tuberculosis. Ten times the number of beds then available were needed for tubercular patients. No program existed for detecting school children who had contracted communicable diseases nor for visiting their homes to ensure isolation and immunization of contacts. There were too few nurses to visit the households of individuals sick with tuberculosis and venereal disease. A bedside-nursing service was needed for home treatment of illnesses not severe enough to warrant the expense or type of care provided in hospitals.

Many homes did not have access to enough safe water. The sewer system was old and carried twice the load for which it was built; thousands of homes could not be connected until new mains were acquired. Facilities for collection of garbage and waste were inadequate, and public swimming pools were continually polluted, due to lack of scum gutters and insufficient chemical treatment of the water.<sup>88</sup>

Although many of San Antonio's health hazards have persisted and medical treatment has remained beyond the grasp of many of her people, considerable amelioration has been evident in recent years. For example, according to Dr. George W. Rice, director of public health in San Antonio (in a letter dated November 10, 1953), the tuberculosis death rate declined from 151.7 in 1940 to 63.9 in 1950, and for 1952 a rate of 32.1 is reported. Comparable decreases were recorded in diarrhea, enteritis, and pneumonia death rates.

Tuberculosis control, previously handled by one physician on a part-time basis, is now under the direct control of the assistant director of public health. More time is thus devoted to this aspect of Health Department activities, and additional personnel and services augment the program.

The structural organization of the Department has also been modified. The director of public health is appointed to office by the city manager with the approval of the City Council and is aided by, but independent of, the purely advisory Board of Health.

<sup>88</sup> *Ibid.*, 7-8.

# On Teaching National Income Analysis to Undergraduates

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IN ATTEMPTING to understand national income analysis, college sophomores encounter one major stumbling block—the concept of saving. They seem unable to grasp the idea that the “act of saving” is the absence of an act (not spending for consumption). Sophomores are a hard lot to deal with and they insist that what people do *not* do is not accurately described as an act. Since what is meant by saving is simply the nonspending of income for consumption, then why talk about saving as though it is a factor which affects the level of income?

There was an obvious necessity for the inclusion of saving in the aggregate income and employment analysis of the classical economists. They viewed saving as positively and causally related to the demand for capital goods. One might judge that if the propensity to save were equal to zero (all income spent for consumption) that there would be no investment. They considered saving as a sort of prerequisite to investment, having a positive function in the scheme of analysis. In the Keynesian hypothesis, however, saving is passive; the propensity to save is related not to what happens to saving but to what happens to consumption. A change in the propensity to save tends to change consumption directly, but a change in the propensity to save affects saving indirectly. Only if a change in consumption induces a change in investment will a change in the propensity to save influence actual saving.

Post-Keynesian analysis of the determinants of the level of income and employment leads to the conclusion that in a market economy the level or rate of spending creates an equal level or rate of money income. These expenditures are broken down into consumption, investment (perhaps “capital outlays” is less likely to be confusing to students who use “investment” to include transfers), and government outlays, primarily because these categories have some degree of internal homogeneity that makes for simplicity of analysis. The amount of saving is simply a definitional resultant, i.e., income minus consumption. Net saving increases or decreases only as investment and deficit-financed government spending increase or decrease.

We tell our students that "saving and investment determine income." This phrase—"Saving and investment determine income"—appears in boldface type as a caption for a diagram in Paul A. Samuelson, *Economics, An Introductory Analysis*.<sup>1</sup> The surrounding text emphasizes that the SS curve is a "schedule of the propensity to save." But even this distinction between "saving" and the "propensity to save" is inadequate when the student discovers, as he must, that the amount of saving is always determined by the amount of investment, no matter what are the community's wishes in the matter.<sup>2</sup> It turns out that saving doesn't determine anything at all.

The propensity-to-save schedule is a more obscure way of talking about the propensity-to-consume schedule; it should be omitted entirely because it is obscure and because it emphasizes something which it not usefully definable. Saving (nonspending of income for consumption) is treated as a *negative force* in the process of income determination. But the definitional structure requires that *income spent for investment must be included in total saving*. Investment out of current income is therefore simultaneously saving (a negative force) and investment (a positive force). At this point the student tends to become lost in the semantic morass; only an abiding faith in the divine power of the authority of the text and teacher is likely to pull him out.

A consumption function will do everything that a saving function will do, and with less confusion. The interdependence of consumption and income (the multiplier) is a most significant relationship and should be taught almost from the beginning of income analysis.

The use of highly abstract gadgetry such as the saving-and-investment-equality concept and the paradox-of-thrift concept serve only to consume time and energy and thereby reduce the chance that the student (and per-

<sup>1</sup> 2d ed., New York, 1951, p. 274. Lest there be an assumption that Samuelson's text is an isolated case, it is suggested that the same type of presentation is to be found in at least most if not all of the elementary texts which have sections on national income analysis. This discussion centers on Samuelson's presentation because his analysis is probably the most consistent as well as the most widely used. Other authors go so far as to define saving and investment as being equal and analyze changes in the level of income by stating that income decreases (increases) when saving (not the propensity to save) is greater (less) than investment.

The following recent editions, checked by the author, all used the savings-investment approach:

Theodore Morgan, *Introduction to Economics*, 1950.

E. T. Weiler, *The Economic System*, 1952.

Nordin and Salera, *Elementary Economics*, 1950.

Mitchell et al., *Basic Economics*, 1951.

Knight and Hines, *Economics, An Introductory Analysis of the Level, Composition, and Distribution of Economic Income*, 1952.

<sup>2</sup> It is true that he must only if he learns the analysis. Most students probably never quite resolve this matter, since the author of the text does not choose to resolve it.

haps the professor as well) will discover anything at all about why national income changes.<sup>3</sup>

If income analysis is set up as an inquiry into those habits, social pressures, technological changes, etc., which influence consumers, investors, and government to spend more or less, faster or slower, from time to time, then the problem can be made much clearer. The difficulty is to clearly distinguish spending from nonspending, i.e., to demonstrate which uses of funds (current income, accumulated purchasing power, and newly created money) have an *income effect* and which do not.

It is not difficult to teach undergraduates that idle cash balances do not represent a part of effective demand. They readily perceive why such idle balances increase and decrease from time to time. It is harder to teach them the difference between transfer payments and spending, which directly affects income, but this can be accomplished too. Such a treatment of nonspending will permit the analysis to focus on spending and on the sources of pressure causing spending to change. The relatively passive role of the banking and money system can then be demonstrated much more clearly.

Our working hypothesis can be made just this simple: national income will increase (decrease) if total expenditures for consumption, investment, and government purposes increase (decrease)— $Y = C + I + G$ . The interdependence of consumption and income (the multiplier) can be demonstrated. The interdependence between consumption and investment (the accelerator) can be demonstrated. Then most of the teachers' and the students' time and energy can be devoted to organizing the variety of evidence which indicates *why* each of these types of expenditure may change in magnitude.

<sup>3</sup> The paradox of thrift is the most confusing of all such gadgets because it is not paradoxical. A decrease in consumption is always deflationary. The fact that a decrease in consumption will help curb inflation and also deepen a depression is obviously important, but not paradoxical. A decrease in consumption will tend to cause investment to decrease during inflation as well as during depression. Indeed, it seems even more likely that a decrease in consumption will cause investment to drop during a period of inflation since much investment which occurs under full employment conditions is induced investment, and this does not seem to be true of investment during depression.

# Book Reviews

Edited by

H. MALCOLM MACDONALD

G. P. MAXIMOFF (ed.): *The Political Philosophy of Bakunin: Scientific Anarchism*. Glencoe, Illinois, The Free Press, 1953. 434 pages. \$6.00.

Mikhail Alexandrovitch Bakunin's works, until publication of this translation, have been almost entirely inaccessible to the English-speaking public. Compilation of this volume was no easy task, for much of Bakunin's writing was fragmentary or ephemeral in nature. Russian, German, French, and Spanish editions have appeared, each in several volumes. Mr. Maximoff has selected the more important segments from each of these and reorganized them into a unified treatment of Bakunin's political thought.

Anarchy is a term ordinarily misunderstood in the United States. Study of Bakunin's theory of anarchy should do much to correct this misconception. Bakunin attacked all government as the negation of personal freedom; he found that any government—monarchy or democracy—must be based upon the existence of a privileged, capitalist class. A thorough believer in individual liberty, in socialism, and in strict equality for all, Bakunin endorsed social revolution as a means of eliminating the triple evil of capitalism, church, and state. Few, if any, social scientists in the United States would adopt Bakunin's views. Investigation of his analysis of the reasons why Marxian international socialism would betray the proletariat into a governmen-

tal despotism, however, should interest those who might otherwise scoff at Bakunin's doctrines.

Bakunin was more than a convinced scientific socialist. He advocated an international workingmen's association to lead the way to an individualist, non-political socialism, in which each worker would be a trained social scientist. In his capacity as social scientist, each individual would discipline himself. Government by social scientists, he felt, would be false to the tradition of science, administration of government and scientific method being incompatible. Bakunin realized that mid-nineteenth century social science was in its infancy, that perhaps a century would pass before social science would approach maturity. But like Marx, he was ready to organize the workers for future action. His international scientific socialism diverged remarkably from the Marxist variety.

No brief review could even list the wide variety of topics which the editor has systematized into this presentation of Bakunin's philosophy. Assaults against religion ("Through religion, peoples who have scarcely freed themselves from natural slavery, in which other animal species are deeply sunk, forthwith relapse into a new slavery, into bondage to strong men and castes privileged by divine election"), against college teaching ("The professors—those modern priests of licensed political and social quackery—poison the

university youth so effectively that it would need a miracle to cure them"), against social contract theory, against universal suffrage, against nationalism and patriotism, and against marriage are all arranged, along with countless other matters, in four sections: philosophy, criticism of existing society, the system of anarchism, and tactics and methods of realization. Considerable repetition, of necessity, creeps into this presentation, since it is not a treatise upon Bakunin's thought, but rather an organization of excerpts and sections of his writings. These selections represent primarily his later period, rather than, for example, the years in which he was an active Slav federationist. No attempt is made, however, to date the components of this compilation. A preface by Bert F. Hoselitz, an introduction by Rudolf Rocker, and a biographical sketch by Max Nettlau survey the history of anarchist thought and the life of Mikhail Bakunin. This forty-eight page introductory section and this assembly of Bakunin's writings, translated into very readable and easily understandable English, constitute a welcome addition to the literature of political theory.

Milivoj H. Karcic  
Alliance College

HORACE MINER: *The Primitive City of Timbuctoo*. Princeton, Princeton University Press, 1953. 297 pages. \$5.00.

*The Primitive City of Timbuctoo* is a report of the life and customs of three major ethnic groups living in this ancient city, as seen by Mr. Miner during a seven months' residence there. The three groups studied were the Arabs, the Songhai, and the Taurey. The au-

thor shows that each of these groups casts its influence upon the religion, customs, mores, education, and life in general of all its inhabitants, e.g., Arabs on Songhai and vice versa.

Mr. Miner has given a very thorough and detailed account of life there. In some instances the details may even detract from the trend of thought. He has used not only first-hand information that he obtained by living with these primitive peoples, but has used extensively many reference books on life there by other authors.

The author gives a clear picture of the geographical location of Timbuctoo and the surrounding countries and a very vivid and picturesque description of the marriage and divorce customs of each of the groups. He likewise furnishes interesting details and other information of birth customs, birth rates, death, and burial practices of each of the great groups, reporting numerous of their beliefs in life after death, the types of spirits believed in, and methods of controlling or appeasing the evil spirits.

The predominating religion is Mohammedanism or a native religion greatly influenced by the doctrines and practices of Mohammedanism. Most of the traditional beliefs found in Timbuctoo are fashioned after those of this great religion. Although honesty is universally recognized there as the "right" thing, it is not always practiced. The author found thievery was common.

In Timbuctoo a person's occupation, status, marriage customs, and beliefs in the supernatural are patterned by his family and by ethnic origins. The author describes life there before and after the French conquered it in the 1890's.

*The Primitive City of Timbuctoo* should have great appeal for students

of anthropology and sociology. It is especially useful for any individual interested in discovering more data concerning the over-all life, customs, mores, beliefs, economics, crimes, social and individual disorganization of a primitive people who are urbanites and have had appreciable contacts with civilized man but who are still, more or less, "children of nature."

J. Leon Clark

Louisiana State University

HENRY WILLIAM SPIEGEL (ed.): *The Development of Economic Thought*. New York, John Wiley & Sons, 1952. 794 pages. \$6.00.

This book will rapidly become indispensable to all students of economic doctrines. It is a compendium of forty-two articles about economists by economists. This gives a double coating to the cake. For as one reads Plato on Aristotle, List on Say, Veblen on Marx, and Samuelson on Keynes, for example, one gets not only a definitive statement concerning the subject of the essay but something of an understanding of the writer.

The principal divisions of the book are these: the dawn of economic science; the classical school; socialists and reformers; historical and institutional approaches; the rise of marginalism; and the growth of modern economics.

A number of these essays were translated by Professor Spiegel and appear in English for the first time. Among these are Einaudi on Galiani; Halevy on Sismondi; Schmoller on Roscher; Marx on the Physiocrats; Schumpeter on Böhm-Bawerk, and Demaria on Pareto. Three were written especially for this volume, namely, Ragnar Frisch's

appraisal of Wicksell; J. M. Clark's article on his father, J. B. Clark; and Colin Clark's study of Pigou.

The publisher, and presumably the editor also, take especial pride in the section devoted to modern economics. This topic, we are told on the jacket, "is treated more extensively than is ordinarily the case. Eight full chapters are devoted to recent thought." Yet it is in this section that perhaps the largest number of economists will find the book somewhat lacking. For there is here but little, if any, evidence of economists having, as Hansen put it, crossed a great divide in respect to economic theory and economic policy during the depression of the 1930's and entered into new territory. One aspect of this absence is that the presentation shows the economists still dealing almost wholly with economics rather than with political economy. The economists chosen as subjects and as writers are largely on the other side of the divide.

No editor, however, can please everyone. No one else, one can guess, would have chosen these particular forty-two essays for inclusion in a book of this sort. But everyone will agree that the editor and the publisher have served us well. One can predict with a feeling of confidence that they will be rewarded not only in the way that is commonly alleged to be most desired by economists, but also that they will be paid in more satisfying coin.

H. Gordon Hayes  
Tulane University

OSCAR E. ANDERSON, JR.: *Refrigeration in America*. Princeton, Princeton University Press, 1953. 344 pages. \$6.00.

It is a commonplace that technology is remaking the world, yet many particulars of this process are seldom delineated. Such dramatic factors as iron, steam, electricity, and aviation occupy us while equally significant ones go unnoticed.

Oscar Edward Anderson, Jr., has here done for refrigeration what Walter Prescott Webb did for barbed wire, the windmill, and the Colt revolver. From an historical point of view, his grasp of refrigeration technics is outstanding, and the result is an excellent contribution to the study of social and economic change in America.

In essence, he proves that mere production of food cannot underwrite urban industrialized civilization. Without refrigerated storage and transportation, fresh farm produce feeds only farmers; cities then subsist upon hard grains in the West or rice in the Orient, and can not fulfill their destinies.

From 1800 to 1860, Professor Anderson traces the rise of natural ice production, with attendant reductions in meat, fruit, fish, and butter spoilage and notes great increases in the shipment of milk and sea foods and the brewing of lager beer. Ice-cooled railway cars appeared and facilitated the post-Civil War urbanization. Meat-packing centers increased, dressed meat costing lower freight than live animals. Pork grew in significance as ice allowed slaughtering in warm as well as cool months. In 1884 shipments of Oregon salmon reached New York.

Mechanical refrigeration, pioneered by Jacob Perkins, John Gorrie, Professor Twining, David Boyle, Daniel Holden, and others, spread cold-storage plants and ice in warmer regions. By 1869, four plants were manufacturing ice for sale—two in Louisiana, one in

Tennessee, and one in Texas. In twenty years, there were 169 plants; in eight more, 386. The natural ice industry was in jeopardy. The use of refrigerator cars expanded accordingly, giving consumers more varied and fresher diets, and farmers wider and less seasonal markets.

In this century, refrigeration has infiltrated industry, bestowing its benefits upon chemicals, steel, petroleum, tobacco, textiles, photography, pharmaceuticals, and aviation. In air conditioning it invaded even the home. Its total effects are beyond knowing, but its impact upon meat, fruit, vegetable and dairying economics is indicative.

The chief benefits are that food loss by vermin or spoilage has almost disappeared, as has food-borne disease. Seasonal and regional markets have become all-year and international. Urban and rural diets have improved in balance and content. And air conditioning and iced drinks have improved human productivity in hot weather.

To a dweller in the South, the implication seems broader than Professor Anderson implies: refrigeration is making tropic areas habitable by large masses of light-skinned people for the first time in history. It seems no coincidence that our fastest growing major cities today are Los Angeles and Houston, both well within semi-tropical latitudes. These cities owe a debt to petroleum, but clearly an equal one to refrigeration.

John R. Watt  
University of Texas

FRANCIS E. ROURKE: *Relations in Employment Security*. Minneapolis, University of Minnesota Press, 1952. 133 pages. \$2.50.

The economics of unemployment insurance and employment service is often obscured by the participation of administrative agencies on two governmental levels, federal and state. In this study, Mr. Rourke points out that the difficulties of employment security administration spring from two sources, the administrative and the political, and that "much of what passes for administrative difficulty rests upon political differences, and political controversy is never far removed from questions of good administrative practice."

The book presents a brief history of employment security in Minnesota, generally illustrative of the other states, and the organization of the federal agency. During the Roosevelt and Truman administrations the states were much concerned with the departmental location of the Bureau of Employment Security, fearing aggressive steps to federalize the entire system if it were placed under the aegis of the Department of Labor with the backing of organized labor. Other primary sources of conflict stem from the federal allegation that the state administrations are too "employer-minded" and are holding back in liberalizing benefits, coverage, and disqualifications, whereas the national authorities are characterized as "worker-minded." Of course this is an oversimplification, if one compares the tardiness of Congressional changes in Old Age and Survivors' Insurance with the more responsive attitude of state legislatures in expanding coverage and increasing the amount and duration of unemployment benefits.

The 100 per cent federal financing of the state unemployment insurance systems is credited with causing more difficulties in intergovernmental relations than any other factor. The 3/10

of 1 per cent federal unemployment tax is regarded by state officials as intended for administrative financing, not as an ordinary tax. Since the grants for administration are considerably less than the tax income, the states feel cheated and there continues a festering source of disagreement. Cofinancing, as in the federal aid programs, is said to contribute to the responsibility and efficiency of state agencies, but in employment security even the Wagner-Peyser Act grants have been increased to cover all costs. Arising out of the existence of state unemployment insurance programs completely supported by the federal government comes the necessity for policing state operations to insure their conformity to the Federal Unemployment Tax Act, and to the provisions of the Social Security Act, which provide additional areas of intergovernmental conflict.

To some extent, conflict over financing administration is mollified by the present methods of forecasting costs, which involve the co-operation of the states in budgeting. The federal system of time cost accounting and unit time factors for work-load items has not met with general state approval, especially to the extent that the scheme is based on variable factors frequently modified by individual state laws.

The author discusses at length the intergovernmental differences with respect to benefit financing, particularly as influenced by experience rating. Federal dissatisfaction on this count has rested on the belief that the state legislatures are too parsimonious with claimants and too generous with employers. Thus federalization has been propagandized, much to the irritation of the states. Intergovernmental and interstate relations in employment service produce

far less friction because placement activities are enforced by statute. Interstate relations in unemployment compensation administration are complex, as each state is involved with all the others. Special attention is given to the adaptations evolved for interstate combining of wage credits, reciprocal coverage, and appeals.

*Intergovernmental Relations in Employment Security* is concise, the problems and conflicts are presented clearly and without bias. It will no doubt serve as a standard treatise on the subject for the period from the beginning of the state-federal unemployment insurance system to date.

Earl E. Muntz  
New York University

VINCENT V. THURSBY: *Interstate Cooperation—A Study of the Interstate Compact*. Washington, Public Affairs Press, 1953. 152 pages. \$3.25.

The subject of intergovernmental relations in the United States is attracting the interest of a considerable number of people. One aspect of this development is revealed in a focusing of attention upon the interstate compact.

In 1951, Frederick L. Zimmermann and Mitchell Wendell released through the Council of State Governments their study, *The Interstate Compact Since 1925*. Now we have Professor Thursby's conclusions on the same device. In view of the recent Zimmermann-Wendell study, it seems appropriate to make a few comparative comments. Both are good investigations. Either volume would fit the needs of the person who wishes to keep informed in this area of intergovernmental activity but who does not have a special interest in the com-

pact device. In certain respects, the material covered by the authors is about the same. Both volumes contain references to the historical development of the compact as well as a discussion of such matters as the nature and use of compacts, enforcement, and prospects. On the other hand, Professor Thursby's treatment seems to this reviewer to be more broadly executed, and he puts less stress upon some of the practical details in the development of compacts than do Zimmermann and Wendell.

Professor Thursby notes that the compact "is one of the elements in the process which is crisscrossing all political boundaries with the lines of functional union"; that it is a device subjected to scrutiny by a representative body of the whole nation, the Congress; and that it is one method of tackling supracompact, subnational problems which is compatible with the States' Rights doctrine. He then concludes his study with the following statement: "In view of these considerations, its use would seem desirable wherever it appears applicable. That use may, indeed, be essential to preservation of the vitality and potency of the States and to avoidance of an overlaid general government. And both of these may be essential to efficiency and to freedom. Certainly they are essential to federalism of the United States pattern." This ending reminds the reviewer, unfortunately, of some he has written. It is carefully phrased and contains an appropriate selection of academic "maybe's." I am pleased to be able to say, however, that the book contains a more forthright evaluation of the future prospects of the compact in American federalism.

Wilfred D. Webb  
University of Texas

KARL DE SCHWEINITZ, JR., and KENNETH W. THOMPSON (eds.): *Man and Modern Society: Conflict and Choice in the Industrial Era*. New York, Henry Holt, 1953. 349 pages. \$6.00.

Any social scientist who has worked in an integrated social science course will appreciate the effort that has gone into this book. He will know only too well the problems of selection and organization of materials to which the editors of *Man and Modern Society* call attention in their preface, and it is likely that he will be sympathetic to their attempt to make "conflict and choice in the industrial era" the organizing principle. This principle gives continuity to the sixty-odd readings and half that number of introductory essays by the editors which make up the book.

The readings range from such classic social science sources as Aristotle, Machiavelli, and Marx to such contemporaries as Merton, Fromm, and Benedict. They are divided into three parts: THE FOUNDATIONS OF MODERN SOCIETY, INDUSTRIAL SOCIETY AND THE PROBLEM OF CHOICE, and TENSIONS IN MODERN SOCIETY. Within this broad framework there are chapters and sections devoted to such topics as the development of Western political thought, the social consequences of industrialization, bureaucracy, the class structure, international relations, etc.

*Man and Modern Society* places more emphasis on political theory and institutions than do most books of this type. On the other hand, certain sections are surprisingly thin. The chapter, "Economic Choice in Modern Society," for example, contains only one selection, a rather routine essay, "The Price System," by De Schweinitz. Certain topics

that one has come to expect in such books, e.g., race relations, receive little or no attention. With respect to several topics there is an editorial tendency to treat the problem of choice in terms of the alternatives of democratic, capitalistic institutions (or theory) versus totalitarian, Marxist institutions (or theory).

It should be emphasized that *Man and Modern Society* is intended as a textbook for freshmen and sophomores. For all books of readings so intended the crucial question is whether the average introductory social science student has a background that will enable him to utilize selections written by professionals for professionals. This reviewer does not know what the "typical" freshman or sophomore will do when he reads (from Max Weber) that bureaucratization of municipal administration "is in proportion to its size or extent to which as an inevitable consequence of technically or economically necessitated rational-purposeful activities it has transcended its organic autochthonous parochialism," but he suspects that at this and similar points there is a high probability that the soporific potentialities of *Man and Modern Society* will become dominant. In reviewing—and in textbook writing and collecting—it would be simpler to say that the "typical" student is likely to go to sleep.

H. J. Friedsam  
North Texas State College

RUSSELL KIRK: *The Conservative Mind, from Burke to Santayana*. Chicago, Henry Regnery Company, 1953. 458 pages. \$6.50.

Quite commonly we are aware of labels ranging from reactionary to conservative, from liberal to radical. These

are so promiscuously tossed about that we are accustomed to speak of those who disagree with us as being of the opposite viewpoint. It is apparent that those who proclaim conservatism or liberalism do not have any systematic credo setting forth just what conservatism or liberalism means. It is, therefore, fortunate that Professor Kirk's thorough presentation of the pattern of conservative thought during the past two centuries appears at this time. It is definitely *MUST* reading for all who consider themselves "conservatives" that they may place belief upon firmer ground than a mere label. Likewise, self-styled "liberals" would do well to read this volume carefully as a road to understanding and perhaps conversion to the greatest stabilizing tendency in human thinking.

At the outset, certain postulates of conservative thinking are set forth. Among these are the belief that divine intent rules society and that political problems are basically religious and moral problems; that variety and mystery in life are more enjoyable than the narrow uniformity and equalitarianism and utilitarian aims of radical systems; that society's longing for leadership, denied by legislation, leads to despair; that property and freedom are inseparable, liberty vanishing when private property is abolished; that tradition and sound prejudices check man's tendency to anarchy; and that change and reform are not identical—mere innovation being "a devouring conflagration more often than it is a torch of progress." These contrast with the radical denial of human imperfection (that man is perfectable, never perfect), contempt for tradition, belief in total equality or political and economic leveling—in short, detestation of Burke's view of the

state as a "divinely ordained moral essence, a spiritual union of the dead, the living, and those yet unborn."

The reader must undertake the meat of this fine study with patience and reflection, for it is a challenge to his basic thinking. The treatment of each of the great conservative writers, American and European, is well performed. Anyone desiring complete acquaintance with any one of the subjects will find the comprehensive bibliography most helpful.

Beginning with Edmund Burke as perhaps the most influential conservative, the study proceeds to John Adams, who suffered unpopularity, while his latter-day friend Jefferson developed lasting worship through his democratic championing of revolution and change.

The Romantics and Utilitarians are presented and compared with the conservative mind. John Randolph of Roanoke appears in a new light, and the product of his endeavors, John C. Calhoun, shines as the champion of Southern conservatism and challenger of "levelling" legislation and unbridled majority rule. Most impressive is Calhoun's warning apropos the Tariff of Abominations that we might expect a Marxian manifesto to appear because of liberal excesses—just twenty years before that revolutionary document.

Lord Macaulay, James Fenimore Cooper, and De Tocqueville are a positive team of conservative giants. Liberals should note that De Tocqueville speaks of the danger (*Democracy in America*) of headstrong majorities, that "man will waste his strength in bootless and solitary trifling [social experiments], and though in continual motion that humanity will cease to advance." The great Frenchman considered variety, individuality, and progress as the

preserving characteristics of society; though "democracy's" best friend, he remains one of its greatest challengers and critics.

John Quincy Adams and Hawthorne appear as mid-century conservatives, with Disraeli and Bagehot and Cardinal Newman exerting potent influence in England. Recent "frustrations" of conservatism are treated with philosopher Santayana "burying liberalism" effectively but perhaps unheeded.

America is in search of ideas, yet most often an inherent conservative tendency appears to save us from worst folly. As Lincoln had it, Americans wobble "but they usually wobble right." Attitudes for the immediate future are suggested: (1) True happiness is virtue, but "a people who are arrogant, avaricious and crass will wither"; Americans can be led to a life of dignity and order; (2) The persistence of property (and liberty) should continue, though surveillance of Leviathan must be constant—whether it be corporate, trade union, or agrarian; (3) These local liberties, traditional private rights and the division of power should be preserved, for "these gone, the republic goes."; (4) National humility, undertaken with modesty and caution in the face of challenges to world leadership (our hardest task) should be developed. NOW is the time to unscramble our thinking and revitalize the conservative thread that has saved us often from ourselves and will lead us to a defiance of the adage that power must necessarily culminate in decadence.

David W. Knepper  
University of Houston

GEORGE A. STEINER: *Government's Role in Economic Life*. New York,

McGraw-Hill, 1953. 440 pages.  
\$6.00.

This is a well organized, readable, and accurate text designed primarily for use in a one-semester college course concerned with the place and activities of the government in our economy.

The author divides the text into fourteen chapters and uses an integrated approach with four stated objectives in mind: (1) "to help the student of public economic policy to understand and think intelligently about American experience regarding the shifting role of government in economic life"; (2) to develop methods which will "aid in perfecting value judgments about the desirability or undesirability of public economic policies"; (3) "to set forth underlying principles which may be useful in guiding the evolution of public economic policy"; (4) "to present the major problems and issues associated with public economic policy."

The basic content of the chapters entitled "Government and Economic Systems in Society" and "Constitutional Economic Powers of Government" is often dealt with in advanced courses offered by departments of government or political science. However, many students of economics would not take these courses; but for those who have studied them, the review would be worthwhile. The author emphasizes that our political and economic systems are completely interwoven and each acts upon the other.

He sees our economy in the United States today as a "mixed economy," due to the fact that "economic activity is determined by a blend of both private and public economic decision." He does not advocate a return to a *laissez-faire* economy nor does he favor the adminis-

trative state. He warns that history has shown that a loss of economic freedom is soon followed by the loss of political freedom; consequently, it is doubtful whether political democracy could exist long where there is a complete management of the economy by the government.

Comer Clay  
Texas Christian University

JOHN WILD: *Plato's Modern Enemies and the Theory of Natural Law*. Chicago, University of Chicago Press, 1953. 259 pages. \$5.50.

This book is composed of two parts. The first is an answer to the charges made by modern critics of Plato, such as Popper, Crossman, Toynbee, and Reinhold Niebuhr, that Plato is essentially an advocate of the antidemocratic totalitarian "closed society." The author does an admirable job of refuting these charges, indicating that in many instances they are supported by quotations taken out of context and that, in general, they arise from a fundamental misunderstanding of Plato's basic moral philosophy. This latter vindication strikes at the root of the argument of Plato's modern enemies since, especially in the case of Popper, it is apparent that Plato's critics have been unable to comprehend the essential moral assumptions and the high sense of idealism which informs all of his projects and suggestions for the betterment of society and the state. What Plato's approach, in the hands of persons less ethical than himself, might result in is one thing; what Plato intended to achieve by his philosophy is quite another. The author simplifies his task somewhat by confining

his refutations primarily to criticism of the *Republic* and tends to slur over some of the more difficult problems posed by passages in the *Statesman* and *Laws*. In any event, Professor Wild's refutation of contemporary distortions of Plato's doctrine is a job well done and should lead to a more balanced reconsideration and re-evaluation of Plato's position in political thinking.

The second, and more lengthy, portion of the work concerns itself with an analysis and construction of the concept of natural law. The author's thesis is that contemporary natural-law discussions are often vitiated at their commencement by a basic misconception of the true meaning of the term itself. Having briefly set aside certain of these prevailing misconceptions, he then proceeds to discuss what he conceives to be the true character of natural law (defined as moral realism) and shows how it has been expressed in the theories of the Stoics, St. Thomas, Grotius, and Tom Paine. Professor Wild then retraces his steps and advances the theory that moral realism, which is the key to his natural-law construct, was originally elaborated by Plato and carried through Aristotle into the stream of Western culture. The last two chapters, "Tendency as the Ontological Ground of Ethics" and "Natural Law and Contemporary Ethics," are revisions of two previously published articles and represent the application of the author's thesis to contemporary problems of ethics.

This book will not settle the perennial conflict between the naturalist and the "moral realist," but it does clear away a number of misconceptions and focuses the dispute on essentials. It should provide animated discussions in class and common rooms on a problem

of fundamental importance for the future of Western culture.

H. Malcolm Macdonald  
University of Texas

H. G. BARNETT: *Innovation the Basis of Cultural Change*. New York, McGraw-Hill, 1953. 462 pages. \$6.50.

Led largely by anthropologists, possibly because of their awareness of the impact of Western culture on preliterate societies the world over, there is occurring a resurgence of theoretical interest in the problem of cultural change. White, Steward, Spicer, and others have recently published articles or books which attempt to deal theoretically rather than descriptively with the problem. *Innovation* must now be added to this growing bibliography.

That is not to say that this work is to be identified with that of the writers mentioned. On the contrary, it would be difficult to find anyone in more complete disagreement with, for example, Leslie White's "culturological interpretations" than is Professor Barnett. La Piere in his "Editor's Introduction" is correct when he points out that one must go back to 1895 and Gabriel Tarde to find a similar book, for Professor Barnett is partial to "psychological interpretations." He takes the position that "cultural facts are intangibles. . . . They are and must be ideas" and "ideas interact with ideas according to psychological laws and not some other." The study of innovation centers, therefore, on "the potentialities and the liabilities of the machine which does the manipulating [of ideas]: namely, the individual mind."

Professor Barnett gets culture out of his way in two preliminary chapters. He then discusses "The Incentives to Innovation," "Innovative Processes," and "Acceptance and Rejection." His approach is wholly taxonomic, no mean feat when the basic problem is change. For each of his topics there is a basic "psychological" category: wants, processes, characteristics of acceptors and rejectors. Each of the basic categories is then elaborated into as many sub-categories as the author can think of, e.g., credit wants, peripheral subliminal wants, central subliminal wants, compensatory wants, etc., etc. Each sub-category is furnished with an abundance of illustrative material drawn chiefly from ethnological sources and particularly from societies with which the author has had personal contact.

One's acceptance or rejection of *Innovation* will be dependent upon his position on the question of psychological interpretation of the sort Professor Barnett practices. Certainly many social scientists will find his conception of the individual unacceptable. As a matter of fact he does not offer a theory of "the individual mind"; he simply asserts its primacy in innovation and imputes to it various wants, processes, etc. Some idea of the rigor of these concepts may be gained from this quotation: "In the following analysis preference is given to the term 'want' as a label for incentive to innovation, without its being assigned any special meaning beyond that given to it in naive popular usage." And when he writes that "Americans very often say 'nop' for 'no.' This is the result of laziness or carelessness," many of his readers will be reminded of Durkheim's statement that "every time a social phenomenon is directly explained by a psychological phenomenon,

we may be sure that the explanation is false."

H. J. Friedsam  
North Texas State College

SCOTT BUCHANAN: *Essay in Politics*.  
New York, Philosophical Library,  
1953. 227 pages. \$3.75.

This essay tackles the current great dilemma of American polity—the focal crisis of Western civilization born of the continuing industrial revolution and the expanding scope of modern science and technology. As the author sees it, the great danger is that traditional American leadership of the two major parties and the business community, unhappily caught in a vast complexus of seemingly insoluble problems, may seek archaic escape in mere symbolism of a successful past and "rest on their oars." A schizophrenic split between our political republic and the commercial republic has produced both a popular withdrawal from politics and emergence of multitudinous private empires in the American corporations. Impulse to withdraw consent from our own first principles of human equality and government by consent of the governed appears, partly from fear of their universal application abroad and partly because they would push the American Revolution beyond the limited vision of the corporate plutocracy.

Socialism in some form and world government by conquest may loom in the future. But meantime the United States needs better devices for registering consents (and deliberate reconsideration of their priorities) and revival of more substantial arts of democratic politics. Buchanan proposes that we seize upon American corporations in their

myriad forms, recognize their essentially governmental character, and integrate them with the national government in a way strangely reminiscent of the Italian Fascist corporate state. However, the new orchestration would maintain democratic quality by thoroughgoing suffusion with what he calls federalism, which appears to be manifold fragmentation of power with mechanical checks and balances to maintain equilibrium between community action and moral responsibility.

This reputed application of the concurrent majority would have been novel indeed to John C. Calhoun, and the concept of federalism is stretched beyond recognition. Buchanan's doctrinal excursions among De Tocqueville, Bryce, Toynbee, and others fall occasionally into specific errors, e.g., declaring that Calhoun accepted the social contract theory and utilized the discredited Marxian concept of surplus value. Moreover, figurative skipping from the analogues of medicine to navigation, to metaphysics and theology betrays him into inconsistent semantics. In a sustained pessimistic mood he flails about in all directions with critical abstractions pyramided impressively for some, but soaring far from empirical reality for most. Withal, his effort remains a very provocative piece of work.

August O. Spain  
Texas Christian University

FRANK GIBNEY: *Five Gentlemen of Japan*. New York, Farrar, Strauss, and Young, 1953. 373 pages. \$4.00.

Frank Gibney was sent by the Navy to a Japanese language school and to duty in Japan; later, as a civilian, he

headed *Time* magazine's Tokyo bureau. This book brings together much of what he learned and observed about modern Japan, as well as the historical origins of that unique and complex Asian society. The narrative is centered about five different Japanese—an engineer and ex-naval officer, a steel worker, a farmer, a newspaperman, and the Emperor Hirohito. In the telling of their backgrounds, experiences, and attitudes, there is produced "the portrait of a nation's character," which is the book's subtitle.

The key to Japanese behavior, and hence the explanation for many of the social, political, and economic peculiarities of Japan, is found by the author in what he calls the "web society." This is the dominant aspect of Japanese culture and one much explored by anthropologists, perhaps at greatest length by Ruth Benedict in *The Chrysanthemum and the Sword*. By "web society" is meant the confusing (to an outsider) system of loyalties and obligations, proprieties and standards of behavior that prescribes the expected conduct in every situation. This system, carried over into every aspect of Japanese life, is usually shown to be derived from the Japanese feudal period that did not end until late in the nineteenth century. It is further buttressed by religion, state Shinto (emperor worship), a deliberate governmental policy aimed at restraining social change, and the obvious need for personal discipline and restraint in an overcrowded and relatively poor island nation.

In some rather sweeping historical chapters Gibney explains the development of the "web society," describes how it facilitated the plans of those who led Japan into war, and then attempts to analyze the effect of defeat and occupa-

tion and the impact of current ideas on the old traditions. The last is accomplished with considerable success by the device of reporting the experiences and differing attitudes of the five "gentlemen of Japan."

Each of the five is a loyal Japanese still, each doubtless regrets his country's defeat, but each "acknowledges the inevitable" and accepts that defeat with surprisingly little bitterness. Each has found certain benefits for self or for country in the occupation and the reforms it produced, each hopes that some of the changes are permanent, but with varying degrees of understanding, each sees a difficult future for Japan.

In the event of a major war, Japan is in a forward, exposed position, vulnerable to devastating air attack. If war is avoided, Japan still is in a vulnerable economic position. Only large American aid, followed by heavy expenditures in Japan for materials for the Korean War, have hidden Japan's desperate international trade position—and even more than before 1941, Japan must trade to live. (The author is more optimistic about the development of trade with south and southeast Asia than are many observers.) Neither Gibney nor the "five gentlemen" believe that the "web society" has been completely destroyed, and probably none would think that desirable, but they all understand that it has been modified internally and its direction changed. However, if Japan is subjected to great strain or extreme hardship, or even an unrestrained internal struggle for political control, there will be "a constant temptation to extremists at either end [of the loosened web society] to make it tighter again.

James R. Roach  
University of Texas

LYNN F. ANDERSON and T. E. McMILLAN, JR.: *Financing State Government in Texas*. Austin, Institute of Public Affairs, University of Texas, 1953. 196 pages. \$2.00.

*Financing State Government in Texas* is largely a statistical study of the flow of public money into and out of the state treasury. Neither the income nor outgo of the state is described in minute detail, but an excellent general picture of both is given. The study covers primarily the years 1941-49, with some data covering 1952. Comparisons with other states are made. The twenty-five tables, five figures, and eight appendices provide a very helpful source of ready statistical information for anyone who wishes to see the *what* of the state's financial system. Revenues are analyzed under the general heading of taxes, aid from other governments, unemployment taxes, and miscellaneous. Expenditures are described by character and by function, function including education, highways, public welfare, trust funds, and debts. Expenditures by character include operation, aid to local governments, capital outlays, trust funds, and debts.

Some confusion for the lay reader may be caused in separating function and character. For example education is pointed out as the costliest single *function* of state government. Then under *character* practically all of the state's expenditures for public schools are discussed as aid to local government. Thus, it is said, "the largest part of this expense [operating public schools and colleges] is incurred in the operation of the Texas system of higher education." A reader could easily think the state was spending more for higher education than for public schools. A good

analysis of the sources and structure of the state's tax system is given. It seems to the reviewer that the study would have had better balance if somewhat less emphasis had been placed on the state debt and more space given to the chapter on "Problems and Prospects." The authors raise some controversial questions in this chapter, such as the potential dangers of the crude oil tax, which need more explanation. The discussion of federal aid is one of the most realistic and best the reviewer has read.

Sam B. McAlister  
North Texas State College

PAUL HALMOS: *Solitude and Privacy: A Study of Social Isolation, Its Causes and Therapy*. New York: Philosophical Library, 1953. 181 pages. \$4.75.

This study is a significant contribution to the growing interest in the vital problem of social participation and is one of the better attempts to tie together sociological theory and application in this case through social therapy. The work is scholarly and carefully written, with a precise style involving hardly a wasted word.

The book begins with an excellent statement regarding the purpose of the undertaking: "To approach the problem of human life with the assumption that man's social belonging, social participation on the one hand, and his solitariness, his cut-offness on the other, are central issues and not derivative symptoms. It is our contention that both man's neurosis and his material insecurity can only be understood when they are placed against the background of this hypothesis."

The first six chapters of the book attempt to throw light on the "aetiology" of social isolation. The content of this portion concerns itself with man's gregarious nature, with an attempt to show that the socio-cultural organization of man has increasingly frustrated his need for experiencing a reassuring unity with his fellows, and with the argument that the frustration of man's social needs is the basis of his neurosis. The second portion deals essentially with fundamental principles of therapy and reform.

One critical point this reviewer would raise concerns the limitation of the author's investigation. The author recognizes this since he considers this work a pilot study. Whether or not one agrees with the conclusions of this study, they are entitled to serious and respectful consideration.

Benjamin Kaplan  
Southwestern Louisiana Institute

ROBERT STRAUSS-HUPÉ: *The Zone of Indifference*. New York, G. P. Putnam's Sons, 1952. 312 pages. \$3.75.

Professor Robert Strauss-Hupé has added another title to his list of books dealing with problems of current international relations. His approach in *The Zone of Indifference* is concerned with an analysis of the cultural development of Europe and America and an attempt to forge this analysis into a key to unlock the door behind which lie the possibilities for the survival of the Western world. The author finds the causes of our present difficulties to be rooted well in the past and expressed in Europe's inability in the nineteenth century to heal the breach between the "two nations" of the proletariat and the

traditional possessing classes. For him, World War I and World War II were resultants of an inability to restore cultural unity within Europe and were not in themselves the causes of Europe's decline but symptoms of a pre-existing decay. The United States escaped the frustration of the European situation by avoiding the bifurcation of her social and cultural structure, which is one of the reasons, among others, that Marxism has never gained significant hold in this country. However, the cultural form of the United States has tended to evolve towards a hierarchy of rank, if not of class, and the author's observations and deduction in this regard will provide interesting revelations to many complacent American readers. As the result of Europe's basic cultural crisis and the aid of two world wars, the United States has emerged as the dominant power in the West and as the ultimate defender of Western culture against the attack of the East led by Russia. Europeans naturally resent their loss of power and freedom of movement; yet the growth of a schism between Europe and America would be fatal to Western survival. The problem for the statesman and intellectual becomes, then, one of uniting the Western community and revitalizing its cultural dynamic. The author envisions two possible solutions: one, the creation of American hegemony, with Europe cast in the role of auxiliary to the dominant power; the other, a collective undertaking based upon the co-operation of the United States, the British Commonwealth and a reintegrated Europe. Either solution, however, could eventually be successful in the sense of maintaining the Western tradition only if the isolation and schism of the two areas are prevented

from deepening and are in fact diminished by a frank and vital interchange of ideas and opinions between Europe and the United States. Western culture is a living thing, and its death is certain if the American segment is cut off and intellectually isolated from its European source.

The author covers a vast field and integrates in his discussion much current thought on the problem of the survival of the West. His analysis, in some cases challenging, in others pedantic, serves to place the problem of contemporary international tensions on a high intellectual plane. Since it is evident that in the long run military power and technical know-how may win a war but, if history is any criterion, will surely lose the peace, it is perhaps time that our leaders and statesmen gave consideration to the approach outlined in *The Zone of Indifference*.

H. Malcolm Macdonald  
University of Texas

## Other Books Received

December, 1953

Atkinson, Mary Jourdan: *The Texas Indians*. San Antonio, The Naylor Company, 1953. 250 pages, \$3.50.

Bartley, Ernest R.: *The Tidelands Oil Controversy: A Legal and Historical Analysis*. Austin, University of Texas Press, 1953. 312 pages. \$5.00.

Blair, George S.: *The Office of County Coroner in Kansas*. Vol. I, No. 4. June, 1953. Emporia, Graduate Division of the Kansas State Teachers College. 21 pages.

Buttinger, Joseph: *In the Twilight of Socialism: A History of the Revolutionary Socialists of Austria*. New York, Frederick A. Praeger, 1953. 577 pages. \$6.00.

Daland, Robert T.: *Public Recreation as a Municipal Service in Alabama*. University, Bureau of Public Administration, University of Alabama, 1953. 23 pages.

Dale, Alfred G. and Frank T. Cadena: *Economic Statistics of Texas: 1900-1952*. Business Leaflet. No. 6. Austin, University of Texas, Bureau of Business Research, 1953. 25 pages. \$.25.

Driver Education: *A Syllabus for Secondary Schools*. Albany, State Education Department, Bureau of Secondary Curriculum Development, 1953. 80 pages.

Florinsky, Michael T.: *Russia: A History and an Interpretation*. 2 vols. New York, Macmillan Co., 1953. 1511 pages. \$15.00.

Hadlow, Leonard: *Climate, Vegetation, & Man*. New York, Philosophical Library, 1953. 288 pages.

Kentucky's Education Puzzle: *5000 Citizens Report on Their Schools*. Informational Bulletin. No. 8. August, 1953. Frankfort, Legislative Research Commission, Commonwealth of Kentucky. 13 pages.

Lawson, Harry O.: *Recent Trends in County Finance: 1947-1951*. Citizen's Pamphlet Series, No. 13. Lawrence, Governmental Research Center, University of Kansas, 1953. 35 pages.

- Lieberman, Chaim: *The Christianity of Sholem Asch: An Appraisal from the Jewish Viewpoint*. New York, Philosophical Library, 1953. 276 pages. \$3.00.
- LuZanne, Celina: *Heritage of Buddha: The Story of Siddhartha Gautama*. New York, Philosophical Library, 1953. 290 pages. \$3.75.
- McLean, Joseph E.: *State and Local Government*. New York, Rinehart, 1953. 192 pages. \$1.85.
- McMillan, T. E., Jr.: *The Fifty-third Texas Legislature: A Review of Its Work*. Austin, University of Texas, Institute of Public Affairs, 1953. 31 pages.
- McMillan, T. E., Jr.: *State Supervision of Municipal Finance*. Austin, University of Texas, Institute of Public Affairs, 1953. 100 pages. \$1.00.
- Marsh, Benjamin C.: *Lobbyist for the People: A Record of Fifty Years*. Washington, Public Affairs Press, 1953. 224 pages. \$3.00.
- Marshall, Hubert and Robert Young: *Public Administration of Florida's Natural Resources*. Gainesville, University of Florida, Public Administration Clearing Service, 1953. 257 pages.
- Miksche, F. O.: *Danubian Federation: A Study of Past Mistakes and Future Possibilities in a Vital Region of Europe*. Camberley, Surrey, England, F. O. Miksche, 1953. 39 pages. \$50.
- Ministère de l'Education Nationale, Centre National de la Recherche Scientifique: *Bulletin Analytique: Philosophie*. Vol. VII, No. 1. Paris, Centre de Documentation de C. N. R. S., 1953. 240 pages.
- Morin, F. Alfred: *The Serpent and the Satellite*. New York, Philosophical Library, 1953. 465 pages. \$4.75.
- Morton, John R.: *University Extension in the United States*. University, University of Alabama, 1953. 144 pages. Cloth, \$2.25; paper, \$1.00.
- New York State Association of District Superintendents, New York State Education Department and Co-operative Project in Educational Administration, Teachers College, Columbia University: *Rural Leadership and Service: A Study of the District Superintendency*. Albany, New York State Education Department, 1951. 76 pages.
- New York State Education Department, Division of Industrial Education: *Syllabus in Technical Subjects: Mechanical Design and Construction*. Albany, University of the State of New York Press, 1953. 22 pages.
- Noble, Howard S. and C. Rollin Niswonger: *Accounting Principles*. Dallas, South-Western Publishing Company, 1953. 6th ed. 755 pages.
- Notes on the Industrialization of Texas: Series 1*. Reprinted from the *Texas Business Review*. Austin, University of Texas, Bureau of Business Research, 1953. 60 pages. \$50.
- Ogg, Frederick A. and Harold Zink: *Modern Foreign Governments*. New York, MacMillan Company, 1953. 1005 pages. \$6.25.
- Patterson, Caleb Perry: *The Constitutional Principles of Thomas Jefferson*. Austin, University of Texas Press, 1953. 211 pages. \$4.00.
- Powys, John Cowper: *In Spite Of: A Philosophy for Everyman*. New

- York, Philosophical Library, 1953. 312 pages. \$5.00.
- Raisin, Jacob S.: *Gentile Reactions to Jewish Ideals: With Special Reference to Proselytes*. New York, Philosophical Library, 1953. 876 pages. \$7.50.
- Revista Do Museu Paulista*. Nova Série, Vol. V. São Paulo, Brazil, Museu Paulista, 1951. 312 pages.
- Revista Do Museu Paulista*. Nova Série, Vol. VI. São Paulo, Brazil, Museu Paulista, 1952. 563 pages.
- Roemer, Lawrence: *Brownson on Democracy and the Trend toward Socialism*. New York, Philosophical Library, 1953. 173 pages. \$3.75.
- Shannon, A. H.: *The Racial Integrity of the American Negro*. Washington, Public Affairs Press, 1953. 262 pages. \$3.25.
- Stern, H. Pepter: *The Struggle for Poland*. Washington, Public Affairs Press, 1953. 79 pages. \$2.00.
- Survey of Texas Laws on Fire Prevention and Control*. Austin, University of Texas, Institute of Public Affairs, 1953. 101 pages. \$1.00.
- Syllabus in Technical Subjects: Technical Electricity*. Bulletin. No. 1419. May, 1953. Albany, University of the State of New York Press, 1953. 16 pages.
- The United States and Europe: A Bibliographical Survey of Thought Expressed in American and British Writings of 1951-1952*. Washington, Library of Congress, 1953. 225 pages. \$1.75.
- Williams, Roger J.: *Free and Unequal: the Biological Basis of Individual Liberty*. Austin, University of Texas Press, 1953. 177 pages. \$3.50.

# News and Notes

## *General*

THE SOUTHWESTERN SOCIAL SCIENCE ASSOCIATION has scheduled its spring meetings for April 16-17 at the Adolphus Hotel, Dallas, Texas. Section chairmen are currently preparing their programs, and it is hoped that they will have been completed by January 1 so that they may be published in the March issue of the *Quarterly*.

ARKANSAS STATE COLLEGE this year began a definite program of general education. The Department of Social Science is offering two courses in this field, "World Civilizations as Related to America," and "Contemporary Society," two-semester courses, each with six hours credit.

D. F. COOPER of Arkansas State College has been appointed to the General Education section of the Social Science Department.

ST. MARY'S UNIVERSITY, San Antonio, announces the offering of a new course of studies in international relations, beginning in September, 1953. The course incorporates work in the departments of history, economics, sociology, government, and philosophy. Graduates will receive a B.A. in International Relations, with a major in either government or economics.

## *Accounting*

ALLEN I. BOUDREAUX, assistant professor of accounting, passed the CPA examination given in May of this year and received his certificate.

JAMES GOODMAN, former associate professor of accounting, Baylor University, has entered private practice in Waco. He has been retained as part-time instructor in accounting.

EMERSON HENKE, chairman of the Department of Accounting at Baylor University, completed work on his D.C.S. degree at Indiana University during the summer, using as his thesis topic "Practical Accounting Procedures for Protestant Churches."

MAURICE P. PUJOL has been appointed instructor in accounting at Loyola University, New Orleans.

## *Business Administration*

CHARLES E. MYLER, JR., has joined the faculty of the College of Business Administration at Loyola University, New Orleans. He is an instructor in economics and marketing.

## *Economics*

EDWIN L. CALDWELL returned this summer to full-time teaching at Baylor University after a two years' leave of absence for doctoral studies at Harvard University.

TILMAN M. CANTRELL has been appointed assistant professor of economics and sociology at Arkansas State Teachers College.

DONALD GARRETT has resigned his position at Arkansas Polytechnic College to accept an associate professorship of economics at the University of Colorado.

BILLY J. HINTON is shortly to re-

turn to full-time teaching at Baylor University after completing a period of training at the Air University, Maxwell Field, Alabama.

A. RUSSELL MCFARLAND has been appointed assistant professor of economics at Arkansas Polytechnic College.

DONALD REESE of Arkansas State College has assumed the academic duties of J. B. BROWN. Mr. Brown has accepted the directorship of the University of Mississippi Extension Center at Millsaps College, Jackson, Mississippi.

KARL SCOTT, formerly of the University of Arkansas, has been appointed professor of economics at Arkansas Polytechnic College.

HAROLD A. SHAPIRO has been appointed professor and head of the Department of Economics, Sociology, and Business Education at Arkansas State Teachers College.

### *Geography*

ARKANSAS STATE COLLEGE announces the organization of a Department of Geography, operating for the first time this semester. Courses in geography are being taught by A. RUSSELL MCFARLAND, assistant professor of geography and economics.

ARKANSAS STATE COLLEGE will hereafter offer geology in the Department of Social Science, thereby making possible a more integrated program, especially in the field of geography.

DAVID C. WINSLOW has returned to his position as assistant professor of geography at Oklahoma Agri-

cultural and Mechanical College after two years as a major in the Air Force.

### *Government*

PHILLIPS UNIVERSITY, Enid, Oklahoma, is offering a new course, "Propaganda in War and Peace," on demand by a night class for adults. It is taught by FRED KELLER, head of the Department of Government. Bulletins, leaflets, magazine articles, and five texts are being used in the course.

ST. MARY'S UNIVERSITY, San Antonio, announces that it is now offering a major in government, with a total of twenty-seven hours of work available in the field. BROTHER EUGENE GITTINGER is head of the department offering the new course of study.

ST. MARY'S UNIVERSITY, San Antonio, has established an International Relations Institute, consisting of a sixteen-weeks' course of lectures. The course is open to students of the University and citizens of San Antonio.

HUGH O. DAVIS, formerly of Baylor University, is professor of government and head of the Department of Social Sciences at Oklahoma Baptist University.

WILLIAM R. TUCKER resigned as instructor in government at Oklahoma Baptist University to accept a position as assistant professor of political science at the University of Louisville.

### *History*

PRAIRIE VIEW AGRICULTURAL AND MECHANICAL COLLEGE

is undertaking an intensive study entitled "Slavery in the Economy of Texas." It is under the direction of GEORGE RUBLE WOOLFOLK, professor of history. The study is attempting to develop new hypotheses for determining the true value of the slave in the plantation economy of the South.

WERNER H. BARTH has been appointed assistant professor of history at Kansas State College.

V. R. EASTERLING has resigned as associate professor of history, Kansas State College, to become president of Northern Oklahoma Junior College.

DONALD EVERETT, formerly of Tulane University, has been appointed assistant professor of history at Trinity University, San Antonio.

A. D. MILLER, associate professor of history, Kansas State College, has been granted sabbatical leave for 1953-54 to continue graduate study at the University of Texas.

JOHN PAYNE, JR., has joined the faculty of the Department of History and Political Science at Arkansas State Teachers College. He holds a doctor's degree in history from the University of Texas.

SIDNEY J. ROMERO has returned to Southeastern Louisiana College after completing requirements for his doctorate in history at Louisiana State University under a Ford Foundation scholarship.

LOIS TURNER, instructor in history, Kansas State College, has been granted sabbatical leave for the year 1953-54 to pursue graduate study at the University of Colorado.

G. D. WILCOXON, professor of his-

tory, Kansas State College, has returned from sabbatical leave spent in Europe.

### *Sociology*

SOUTHWESTERN LOUISIANA INSTITUTE has completed a series of community studies on rural communities of Lafayette Parish. Undergraduate students of sociology prepared their own questionnaires, did part of the interviewing, and trained other interviewers. Members of the Department of Sociology acted as technical advisers. So successful were the studies that some of the communities are organizing to act on the results.

R. H. BOLYARD, head of the Department of Sociology at Southwestern Louisiana Institute, has acted as technical adviser to the Lafayette Planning and Development Committee during the past year.

HERBERT MILES resigned in July as assistant professor of sociology, Oklahoma Baptist University, to accept a position as professor of sociology at Carson-Newman College, Jefferson City, Tennessee.

LAVERN NORRIS, formerly of Louisiana State University, has been appointed instructor in sociology at Southern Methodist University.

BRUCE M. PRINGLE has been appointed assistant professor of sociology at Southern Methodist University. Dr. Pringle has been doing graduate study at the University of Southern California and at the University of Oslo, Norway.

DONALD D. STEWART and A. STEPHEN STEPHAN of the University of Arkansas acted as editors

for the September publication of the third annual *Proceedings* of the Southwestern Sociological Society.

Publication was made possible by the University of Arkansas Institute of Science and Technology.

# Irwin Texts in Business and Economics

## ACCOUNTING

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by Robnett, Hill, and Beckett

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## ECONOMICS

THE AMERICAN ECONOMY  
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## MARKETING, PUBLIC RELATIONS

MARKETING *Revised Edition*  
by Phillips and Duncan

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ADVERTISING *Fourth Edition*  
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### **★ ★ ★ THE AUTHORS**

Norman D. Palmer—Head of the Political Science Department, Wharton School of Finance and Commerce at the University of Pennsylvania. A specialist in international relations, he was a visiting Fulbright professor at the University of Delhi 1952-1953.

Howard C. Perkins—Lecturer in political science, Wharton School of Finance and Commerce at the University of Pennsylvania. He is a specialist in American diplomatic history.

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